F7 .P34 1858
vol.2
Palfrey, John Gorham,
1796-1881.
History of New England

DOMINICAN COLLEGE
LIBRARY
SAN RAFAEL

HISTORY

OF

NEW ENGLAND.

BY

JOHN GORHAM PALFREY.

VOLUME II.

BOSTON:
LITTLE, BROWN, AND COMPANY.
1876.

DOMINICAN COLLEGE
LIBRARY
SAN RAFAEL

Entered according to Act of Congress, in the year 1860, by
JOHN GORHAM PALFREY,
in the Clerk's Office of the District Court of the District of Massachusetts.

HISTORY

OF

NEW ENGLAND

DURING THE STUART DYNASTY.

BY

JOHN GORHAM PALFREY.

IN THREE VOLUMES.

VOL. II.

BOSTON:
LITTLE, BROWN, AND COMPANY.
1876.

1697

974.1
2

974
P174
v.2

Entered according to Act of Congress, in the year 1860, by
JOHN GORHAM PALFREY,
in the Clerk's Office of the District Court of the District of Massachusetts.

43795

PREFACE

TO THE SECOND VOLUME.

In this continuation of my History of New England, I have not seen reason to depart from the plan on which the First Volume was constructed.

I may be judged to have given too much space to the contemporaneous history of England. But this will not, I think, be the opinion of such as have well considered to what a controlling extent New-England politics were affected by existing relations — whether of antagonism or sympathy, of apprehension or reliance — to principles, parties, and men, powerful in the parent country. Preceding and passing events in England seemed to me to be the indispensable background, on which the nearer objects of the picture were to be projected, in order to be seen in their right position.

In justice to my view of the proper manner of composing history, it has been necessary for me to throw into notes a variety of details, which appeared to be fit accessories to the main narrative, but which, had I attempted to interweave them in it, would have interrupted its continuity. If I might presume to give advice to my readers, it would be that they should peruse each chapter without attending to the notes, and then recur to them in connection with those statements in the text which they are respectively designed to fortify or to illustrate. A large portion of them will attract only the student who desires to know the authorities for my narration.

But others are intended to throw additional light on the characters and events which are treated of.

My frequent references to the Records of the Commissioners of the United Colonies are made to the well-known edition of Hazard. Though commendable for its general correctness, I should have much preferred to cite from the excellent edition which Mr. Pulsifer is publishing, under the authority of the government of Massachusetts, had it been completed. But the only volume of it, issued from the press in season for my use, closes with the year 1651.

For a few statements, in the absence of evidence of an earlier date, I have had to rely upon the reports of Hutchinson and Trumbull. But, in respect to facts, both are trustworthy witnesses, — the latter eminently so, — as is abundantly manifested by a comparison of their accounts with the original documents or contemporary writers, in cases where these are still accessible; and Hutchinson possessed manuscript materials of great value, which perished in the assault upon his house a century ago, leaving us of the present day without other access to some of his knowledge than what his writings afford.

I have not referred by volume and page to authorities which I consulted in the English State-Paper Office, because I am informed that, since I examined them, the old volumes of the Board of Trade have been broken up, and digested, with other documents, into one series of Colonial Papers, disposed in that strictly chronological order, which, with very rare exceptions, should be the rule for the arrangement of all public archives. The deviation from this method in respect to the extremely valuable collection in the State-House of Massachusetts, is to the inquirer an occasion of constant distress, and perhaps of loss which he cannot estimate.

In again laying my friends under contribution for advice, and for the knowledge of facts, I have had occasion constantly to resort to several of those who so materially aided the preparation of my First Volume, and have found their kindness as prompt and useful as before. Among others, to whom I have been

more recently indebted, Mr. Brigham, editor of the "Compact, with the Charter and Laws, of New Plymouth," has aided my inquiries respecting transactions of that Colony; Mr. Aspinwall, formerly Consul of the United States in London, has obliged me with the use of his rich collection of books of the period which I treat, and with hints, the fruit of his extensive historical reading; Mr. Parkman, the accomplished author of the "Life of Pontiac," has given me the benefit of his copies of documents in the French Archives, enabling me better to describe the transactions of the New-England people with D'Aulnay and La Tour; and the Rev. Dr. Ellis placed in my hands his learned monograph, in manuscript, on the history of the Quakers. My course of study for this volume has led me to apply with special frequency to Mr. Trumbull, Mr. Haven, and Mr. Deane, for explanations which their accurate acquaintance with our antiquities eminently qualifies them to afford; and I have continued to be greatly indebted to these gentlemen for numerous particulars of information, as well as for suggesting to me some paths of useful inquiry. In the preparation of almost every chapter of this volume, I have experienced the benefit of their friendly interest in my undertaking. In the superintendence of the press, I have again had the extremely important advantage of Mr. Folsom's critical skill.

It is due to the friends who have contributed so generously to my work, that I should acquit them of responsibility for judgments which, anywhere in the course of it, I have expressed.

J. G. P.

Cambridge, Massachusetts,
June 16th, 1860.

LIST OF ILLUSTRATIONS.

PAGE

Mr. Whitfield's House, at Guilford, — External Views 59
Mr. Whitfield's House, — Plan of the Interior 60, 61
Mr. Coddington's House, at Newport 62
House of an Early Settler 63
Silver Coins of Massachusetts 404, 405

CONTENTS

OF THE SECOND VOLUME.

BOOK II.

CONFEDERACY OF THE FOUR COLONIES.

CHAPTER I.

PRIMITIVE INSTITUTIONS AND CUSTOMS. PAGE

Population and Prosperity 5
Self-Government 7
Conditions of the Franchise 8
Magistrates 9
Deputies 10
Forms of Election 10
Revenue System 11
Towns 11
Courts of Justice 15
Juries 18
Processes 19
Statutes of Plymouth 19
Fundamental Laws of Massachusetts 22
Body of Liberties 22
Slavery 30
Laws of Connecticut and of New Haven 31
Regulation of Prices and of Expenses 33
Legal Obligation to attend Public Worship 34
Ecclesiastical System and Usages 36
Organization of separate Churches 36
Ministers 38
Mutual Relation of Churches 39
Public Worship 40
Psalmody 41
Disuse of some Forms of Devotion 43
Feast-Days and Fast-Days 44
Provisions for Learning 45
Libraries and Printing 45
Schools 47
Harvard College 48

Military System 49
Industry. — Cultivation of the Soil 52
Manufactures 53
Products of the Woods 54
Fisheries 54
Ship-Building 55
Commerce 56
Circulating Medium 57
Facilities for Travel 58
Architecture 59
Whitfield's House at Guilford 59
Coddington's House at Newport 62
Primitive Houses 63
Dress 64
Domestic Furniture 64
Diet 65
Amusements 67
Titles 67
Speech 67

CHAPTER II.

The Independents in England.
The Scots in England 69
Fight of Marston Moor 70
Successes of the King in the South 70
Second Battle of Newbury 71
Transactions of the Winter of 1644–5 71
Lutheran Church Polity 71
Presbyterian Church Polity of Calvin 72
Presbytery in Scotland 73
Presbytery in England. — Thomas Cartwright 74
Cartwright at Geneva 78
Solemn League and Covenant 79
Westminster Assembly 80
Parties in the Assembly. — Presbyterians 81
Episcopalians 81
Erastians 81
Independents 81
Connection of the English Independents with New England . . . 83
Stages in the Growth of Independency 85
Variety of English Sectaries 86
Dissension in the Assembly 88
Politics of Independents and Presbyterians 92
Negotiation at Uxbridge 93
Plan for the Reorganization of the Army 95
Downfall of the British Monarchy.
Self-Denying Ordinance 97

New Vigor of the Army 98
Battle of Naseby 98
Conclusion of the First Civil War 99
Last Privy Councils of Charles the First 100
Disappointments of the Presbyterian Party 101
Journals of the Westminster Assembly 102
Impotence of the Westminster Assembly 102
The King at Oxford 103
His Flight to the Scottish Army 103
His Surrender to Parliament 104
Frustrated Attempt to reduce the Army 104
The King conveyed to the Army. — Parliament threatened . . 105
London occupied by the Army 106
The King's Escape to the Isle of Wight 107
Treaty of the King with the Scots 108
Second Civil War 108
Battle of Preston 108
Treaty at Newport 108
Remonstrance of the Army 109
Second March of the Army to London 110
Pride's Purge 110
High Court of Justice 110
The King condemned and beheaded 111

CHAPTER III.

Troubles in the Narragansett Country.
First Meeting of the Federal Commissioners 112
Hostile Designs of the Narragansett Indians 113
Disorders of Samuel Gorton and others at Providence 116
Application to Massachusetts for Protection against them . . . 116
Randall Holden and John Greene 117
Earlier History of Gorton 118
Surrender of Pawtuxet to Massachusetts 120
Sale of Lands at Shawomet by Miantonomo to Gorton 122
Submission of the Sachem of Shawomet to Massachusetts . . . 124
War of Miantonomo against Uncas 124
Defeat of Miantonomo 125
Deliberation and Sentence of the Commissioners 125
Execution of Miantonomo 128
Proceedings of Massachusetts against Gorton's Company . . . 130
Conviction and Punishment of Gorton and his Associates . . . 133
Their Discharge 135
Cession of the Narragansett Country to the King 136
Truce with the Narragansetts 139
Relations of New England to New Netherland
Transactions with the Swedes on the Delaware 143
Transactions with the Dutch at New Amsterdam 143

RELATIONS OF NEW ENGLAND TO NEW FRANCE.
The French in Acadie 144
Application of La Tour for Aid from Massachusetts 145
Discussions respecting Assistance to La Tour 147
Thomas Morton in New England 147
Visit of Madame La Tour to Boston 148
Embassy from D'Aulnay 149
SECOND MEETING OF THE FEDERAL COMMISSIONERS.
Proceedings of the Commissioners at their Second Meeting . . 151
INTERNAL POLITICS OF MASSACHUSETTS.
Dissension among the Magistrates 154
Changes in the Magistracy — Endicott elected Governor . . . 156
Cabal in Essex County 157
Attempt to abridge the Power of the Magistrates 158
Settlement of the Dispute 160
RELATIONS TO THE PARENT COUNTRY.
Precautions against a Party for the King 161
Demonstrations of Independence 161

CHAPTER IV.

PRESBYTERIANS IN MASSACHUSETTS.
Independence of Churches 165
Cabal of Presbyterians 166
Circumstances making it dangerous 169
Arrangements for a Synod 170
Appeal of the Malecontents to the Home Government 174
Proceedings against Maverick, Child, and others 174
Mission of Winslow to England 176
Ill Success of the Appeal of the Presbyterians to England . . . 179
CONGREGATIONALISM
Result of the Synod 179
Ecclesiastical Councils 182
Cambridge Platform 183
CONVERSION OF THE INDIANS.
Early Indications of the Readiness of the Natives to receive Christianity 187
Action of the General Court 188
The Apostle, John Eliot 189
Beginning of his Missionary Labors 190
Visit of Eliot and others to Indians near Watertown 190
Further Action of the Government 193
Preaching at Dorchester and other Places 194
The Mayhews at Martha's Vineyard 196
Interest excited in England 197
Society for Propagating the Gospel 198
RELATIONS OF NEW ENGLAND TO NEW FRANCE.
D'Aulnay and La Tour 199
RELATIONS OF NEW ENGLAND TO NEW NETHERLAND 201
Peter Stuyvesant at New Amsterdam 203

CHAPTER V.

THE NARRAGANSETT SETTLEMENTS.
Gorton and Holden in England 207
Edward Winslow in England 207
Representations of Massachusetts to Parliament 208
Gorton's "Simplicitie's Defence" 209
Success of Winslow's Agency 210
Return of Gorton to America 214
Return of Roger Williams to America 215
Patent of the Providence Plantations 215
Removal of Williams into the Narragansett Country 218
Institution of a Government under the Patent of Providence Plantations 219
Its Failure and Dissolution 220
THE NARRAGANSETT INDIANS.
Hostile Movements of the Narragansetts 224
Preparations of the Colonies for War 225
Edward Gibbons of Massachusetts 225
Treaty of Peace with the Narragansetts 229
Breach of the Treaty 229
Decisive Action against the Narragansetts 231
NEW HAVEN AND CONNECTICUT.
Indian Troubles in New Haven and Connecticut 232
New Settlements in these Colonies 232
Plantation of Winthrop, the younger, at Pequot River 233
Legal Administration in Connecticut 235
Legal Administration in New Haven 236
PLYMOUTH.
Condition of the Town and of the Colony 237

CHAPTER VI.

DISSENSION IN THE CONFEDERACY.
Imposition by Connecticut of an Export Duty at Saybrook . . . 240
Appeal of Massachusetts to the Commissioners respecting it . . . 240
Reply of Connecticut 241
Provisional Decision of the Commissioners 242
Proposal of Massachusetts for a Revision of the Articles of Union . 243
Further Discussion of the Impost 244
Retaliatory Action of Massachusetts 248
Merits of the Controversy 249
MASSACHUSETTS.
Proposal to reduce the Number of Deputies 252
Restoration of Dudley and Winthrop to Power 253
Disturbance at Hingham 254
Complaint against Winthrop 255
His Acquittal 257
His Vindication of himself 257

Source of the Difficulty 258
New Election of Winthrop to be Governor 260
Proceedings for establishing a Code of Laws 260
Improvements of the Revenue System 261
Institution of Common Schools 262
Death of some of the Founders.
George Wyllys 263
Thomas Hooker 263
John Winthrop 264

CHAPTER VII.

The British Commonwealth.
Parliamentary Council of State 273
War in Ireland 273
Appointment of Cromwell to command in Ireland 274
Sack of Drogheda 274
Sack of Wexford 275
Proclamation of King Charles the Second 275
Appointment of Cromwell to command in Scotland 276
Battle of Dunbar 277
Coronation of King Charles the Second 278
His Irruption into England 279
Battle of Worcester 279
Motives for a War with Holland 281
English Navigation Act 282
Conflict of Dutch and English Fleets 283
War with Holland 284
Peace with Holland 284
Conquest of Nova Scotia 286
Grant of Nova Scotia to La Tour, Temple, and Crowne 286
Expulsion of the Rump of the Long Parliament 288
The Little Parliament 289
Its Dissolution 290
First Protectorate of Cromwell 290
Institution of Triers 292
Cromwell's Second Parliament 294
Its Dissolution 295
Insurrections 295
England divided into Military Districts 295
Defeat of the English at Saint Domingo 297
Their Conquest of Jamaica 297
Cromwell's Third Parliament 298
Cromwell's Election to be King 299
Remonstrance of the Officers 300
Insurrection of Venner 300
Cromwell's Refusal of the Crown 300
Partial Revival of the Institutions of the Monarchy 301

Contumacy of the Parliament 302
Its Dissolution 302
Death of Oliver Cromwell 303

CHAPTER VIII.

Relations of New England to New France.
The Hurons and the Iroquois 304
The Missionary Druillettes 305
His Visit to Boston 307
Refusal of Aid from New England to the French against the Mohawks 307
Relations of New England to New Netherland.
Visit of Stuyvesant to Hartford 309
Settlement of Disputes, and Establishment of a Boundary . . . 310
Renewal of Jealousies between the Confederate Colonies . . . 312
Omission of the Annual Meeting of Commissioners 312
Suspected Plot of the Dutch with the Indians 312
Preparations for War 315
Doubts of the Justifiableness of the War 317
Dissent of Massachusetts 318
Renewed Dissension in the Confederacy.
Threats of Disunion 320
Alarm of War with the Nyantics 324
Further Dissension in the Confederacy 325
Explanation of Massachusetts 327
Trouble with the Nyantics.
Expedition against the Nyantics 328
Simon Willard 329
Protection extended to the Remnant of the Pequot Tribe . . 331
Conversion of the Natives.
Community of Converts at Natick 336
Daniel Gookin 338
Mayhew at Martha's Vineyard 339
Missionary Efforts in the Southern Colonies 340

CHAPTER IX.

Settlements on Narragansett Bay.
Commission of Coddington 344
Baptists in Newport 346
Law against Baptists in Massachusetts 346
Baptists in Plymouth 349
Visit of John Clarke and other Baptists to Massachusetts . . . 351
Their Arrest 351
Proceedings against them 352
Mission of Clarke and Williams to England 354
Separation of Providence and Warwick from the Rhode-Island Towns . 356
Revocation of Coddington's Commission 356

Roger Williams and Mrs. Sadleir 357
Obstacles to a Reunion of the Narragansett Towns 359
Rhode-Island Privateering 359
Return of Williams to America 361
Reunion of the Four Towns 362
Continued Disorders 364

PLYMOUTH.

Friendliness of Plymouth to the Parliament 367
Territory of Plymouth on the Kennebec 368
Revision of the Laws 369
State of the Churches 370

NEW HAVEN.

Expedition against New Netherland 371
Re-annexation of Greenwich 372
Education in New Haven 373
Collection of Laws 374

CONNECTICUT.

Collection of Laws 376
Expedition against New Netherland 377
Rhode-Island Privateers 378
John Winthrop, Governor 379

CHAPTER X.

MASSACHUSETTS.

Endicott at the Head of Affairs 381
Extension of the Territory of Massachusetts 382
Condition of the Northeasterly Settlements 383
Annexation of Maine to Massachusetts 384
Annexation of Lygonia to Massachusetts 387
Cromwell's Plan for transferring the New-England People to Ireland 388
His Plan for transferring them to Jamaica 390
Prosperity of Massachusetts 393
Revisal of the Laws 393
Heresy of Mr. Pynchon 395
Interference of the Government with the Churches 397
Second Church of Boston 397
Harvard College. — Resignation of President Dunster 397
Accounts of the College Steward 399
Virtual Independence of Massachusetts 400
Coinage of Money 403

DEATH OF SOME OF THE FOUNDERS.

William Bradford 405
Edward Winslow 406
Miles Standish 407
Ralph Partridge 408
John Cotton 409
Thomas Dudley. — Departure of Roger Ludlow from New England 411
John Haynes 413
Edward Hopkins 414
Theophilus Eaton 415

CHAPTER XI.

PROTECTORATE OF RICHARD CROMWELL.
Accession of Richard Cromwell 416
State of Parties 417
Parliament of Richard 418
His Abdication 419
George Monk 419
REINSTITUTION OF THE MONARCHY.
Monk's Occupation of London 421
Convention Parliament 421
Entry of Charles the Second into London 423
The Earl of Clarendon 424
ENGLAND UNDER CHARLES THE SECOND.
Early Proceedings after the Restoration 425
Trial of the Regicides 426
Hugh Peter 426
Sir Henry Vane 429
Sir George Downing 431
Ecclesiastical Affairs in England 432
A new Parliament, devoted to the King 434
Fifth-Monarchy Men 434
Proceedings against Dissenters from Episcopacy 435
Corporation Act 435
Act of Uniformity 436
Conventicle Act 437
Five-Mile Act 437
Decline of Morals in England 437
Prelacy reinstated in Scotland 439
Marquis of Montrose 439
Marquis of Argyll 439
War with Holland 441
Peace of Breda 441
Plague of London 442
Fire of London 442
Lord Clarendon's Fall from Power 442
Council of Foreign Plantations 444
Committee for the Settlement of New England 444
Council of Trade 444
Navigation Act 445
New Charter of the Society for Propagating the Gospel . . . 446
Robert Boyle 446

CHAPTER XII.

MASSACHUSETTS.
Complaints made against Massachusetts in England 448
Address of Massachusetts to the King 448
Address to the Parliament 449
Instructions to the Agents of Massachusetts in England . . . 450

QUAKERS IN ENGLAND.
Origin of the Sect. — George Fox its reputed Founder . . . 453
Fox's Military Converts 457
Spread of the Sect 458
Its Reception in England 459
QUAKERS IN NEW ENGLAND.
Expectation of the Arrival of Quakers in Massachusetts . . . 461
Endicott, Bellingham, and Norton 463
Quakers at Boston 463
Action of the Federal Commissioners 465
Action of the Colonies 465
Proceedings in Massachusetts 465
Quakers fined, imprisoned, and whipped 466
Law for punishing with Death Quakers returned from Exile . . 472
Declaration of the General Court 473
Execution of two Quakers 478
Declaration of the Court 478
Execution of two other Quakers 480
Modification of the Law against Quakers 482
Proceedings against them in the smaller Colonies 484
CONTROVERSIES RESPECTING BAPTISM.
Proceedings against Baptists 485
Questions respecting Baptism in the Congregational Church . . 487
Controversy in the Church of Hartford 488
Synod of Connecticut and Massachusetts 488
Death of Mr. Stone 490
Synod of Massachusetts 491
Relaxation of Ecclesiastical Severities 493

CHAPTER XIII.

REGICIDES IN NEW ENGLAND.
Favorable Reception by the King of the Address from Massachusetts . 494
Regicides in Boston 495
Edward Whalley 496
William Goffe 497
The Colonels at Cambridge 497
Statements of Breedon and Crowne concerning them 498
The Colonels at New Haven 499
Order to Endicott for their Apprehension 500
Application to the Deputy-Governor of New Haven for their Arrest . 501
The Colonels at Hatchet Harbor and at West Rock 505
The Colonels at Milford and at Hadley 506
Death of Whalley 507
John Dixwell 508
MASSACHUSETTS.
Suppression of John Eliot's Political Treatise 509
Precautions against Encroachment from England 513
Declaration of the Rights and Obligations of Massachusetts . . . 515

Proclaiming of the King by Massachusetts 517
Message from the King respecting the Quakers 519
Mission of Bradstreet and Norton to England 521
Issue of a New Coin 525
The Pine Shilling and the Royal Oak 525
Sir Thomas Temple in Nova Scotia 525
Return of Bradstreet and Norton from England 526
Letter from the King 527
Death of John Norton 527
Proceedings of the Court in Relation to the King's Demands . . 528

CHAPTER XIV.

PLYMOUTH.
Acknowledgment of the King by Plymouth 532
Internal Politics of Plymouth 532
Unpopularity of Hatherly and Cudworth 533
Dunster at Scituate 533
NEW HAVEN.
Acknowledgment of the King by New Haven 535
CONNECTICUT.
Acknowledgment of the King by Connecticut 536
Mission from Connecticut to England 536
Address and Petition to the King 537
ROYAL CHARTER OF CONNECTICUT.
John Winthrop in England 539
His Letters to Members of the Royal Society 539
Charter obtained by him 540
Its Arrival in New England 545
Proceedings in Connecticut on its Reception 545
Resistance of New Haven to it 546
Town-Meeting at New Haven 546
Meeting of the Freemen of New-Haven Colony 547
Meeting of the General Court 548
Peremptory Conduct of Connecticut 549
John Allyn, the Secretary 549
Mediation of Winthrop 550
Persistence of Connecticut 550
Meeting of the Federal Commissioners 551
Persistence of New Haven 553
"New-Haven's Case Stated" 556
NARRAGANSETT PLANTATIONS.
John Clarke in England 557
Removal of Coddington's "Obstruction" 557
Relations of Rhode Island to the English Commonwealth . . . 558
Proclaiming of the King in Rhode Island 559
Boundary Line of Connecticut 560
The Atherton Company 561
Clarke's Application for a Charter 562
Agreement between Clarke and Winthrop 563

Favor of the King to the Atherton Company 564
John Scott, of Long Island 564
Charter of Rhode Island and Providence Plantations . . . 566
Reception of the Charter at Rhode Island 570
Population of the Narragansett Settlements in 1663 570
Disputes concerning Lands on the Paucatuck River 571
Fresh Alarms of Danger from England 574
Preparations of the General Court of Massachusetts 576

CHAPTER XV.

Royal Commissioners in New England.
Arrival of Commissioners from England 578
"Considerations" of Lord Clarendon 578
Patent to the Duke of York 580
Nicolls, Carr, Cartwright, and Maverick 580
Royal Letter to Massachusetts 582
Commission and Instructions of the Agents 583
Proceedings of the General Court 586
Expedition against New Netherland 591
Surrender of New Amsterdam and Fort Orange 591
Arrangements for the Junction of New Haven with Connecticut . 592
Meeting of the Federal Commissioners 593
Annexation of Long Island to New York 595
Union of Connecticut and New Haven 596
Meeting of Royal Commissioners at Boston 597
Death of Governor Endicott 598
Operations of the Royal Commissioners. — At Plymouth . . . 601
In the Narragansett Country 603
In Connecticut 604
In Rhode Island 605
In Massachusetts 607
Debate between Massachusetts and the Royal Commissioners . . 608
Bellingham chosen Governor 610
New Hampshire 618
The Royal Commissioners in New Hampshire and Maine . . . 619
Dispersion of the Royal Commissioners 623
Demand from England for Agents to be sent over by Massachusetts. 625
Present of Masts from Massachusetts to the King 629
Proposal for an Expedition against New France 630
Restoration of the Authority of Massachusetts in Maine . . . 632

APPENDIX.

Commissioners of the Confederacy 635
Magistrates of the several Colonies 637

BOOK II.

THE CONFEDERACY OF THE FOUR COLONIES.

HISTORY OF NEW ENGLAND.

BOOK II.

THE CONFEDERACY OF THE FOUR COLONIES.

CHAPTER I.

The confederation of the four Colonies makes an epoch in the history of New England. When that league was formed, twenty-three years had passed since the plantation at Plymouth was begun, and thirteen years since a royal charter, transferred to the soil of Massachusetts, had there become the basis of a government. The institutions and the social condition of the Colonies had taken a definite shape. It will be instructive here to pause, and observe what the founders had done towards realizing the purposes of their emigration, and what was that primitive system of society which was to influence the character and fortunes of the later generations of the people.

The men who established the charter government in Massachusetts entertained the hope of building up a free community of Englishmen, numerous and strong enough for the maintenance of those rights, the denial of which had driven them from their homes. It was material to their object, not only to invite numbers of sympathizing associates, but also to make their power effective by political consolidation. The first years had brought some disappointments in this respect. Connecticut and New

Haven attracted from Massachusetts some of her most honored men. To the new-comers who presently proceeded to establish the youngest Colony, Massachusetts stood in no relations which authorized her to do more than endeavor to prevail upon them to cast their lot with her.[1] With the emigrants to Connecticut River — associates whom it was grievous to her to lose — she felt justified in being more importunate. In having assumed her citizenship they seemed even to have conferred on her an indefeasible title to their allegiance. In the state of mind which the circumstances of the time had brought about, she was inclined to maintain that a virtual engagement had been entered into by her freemen to stand together for the common cause, so that none of them could, at pleasure, by withdrawing himself, withdraw a portion of the power which was the safeguard of all. Her churches also sought to be cheered and guided by that mutual illumination which would be dimmed by distance; and "the removal of a candlestick" was regarded as "a great judgment."[2]

But the desire for another residence was too earnest to be overcome, and Connecticut and New Haven took their independent positions. Upon her precursors at Plymouth, Massachusetts had no claim for a political union; and the cordial good understanding which, from the first, existed between the two oldest Colonies, was found to yield all, or most, of the benefits which would have resulted from an arrangement of that nature. The isolation of the settlements at Providence and on Rhode Island was not without its advantages to the other Colonies. In the road to Narragansett Bay a permanent safety-valve was opened for the escape of uneasy spirits, whose presence would have troubled their order and thwarted their aims.

[1] See Vol. I. 529.

[2] Ibid., 447.

For a time, in the new flush of freedom, there appeared a growing propensity to scatter the strength which needed concentration in order to its greatest effectiveness. Not only were separate settlements formed to the north and east of Massachusetts by persons not in sympathy with the sentiments of her people, but independent communities of Puritans were founded in the neighborhood of New Haven and of the associated towns on the Connecticut.[1] The latter part, however, of the period which has been surveyed, had witnessed a reversal of this tendency. The young communities were becoming consolidated. What there was of New Hampshire was merged in Massachusetts.[2] Though the little settlements further east — chiefly of West-of-England fishermen — were mostly inclined at the same time to a wild state of society and to the cause of Church and King, one of them had yielded itself to the government of the leading Puritan colony, and others had solicited her patronage.[3] And the "Jurisdiction" of New Haven had been formed by a junction of distinct plantations, which, through a sufficient experiment of isolation, had become satisfied that the objects of all — essentially the same, as they were — could be best attained by joint counsels and united strength.[4] Finally, the four principal Colonies, each previously compacted in its own way, had combined together, for mutual protection, in a league which, in important respects, constituted them a single body politic.

The Confederacy entered upon its career with favorable prospects. It embraced a population which had probably grown to about twenty-four thousand souls;[5] of which number fifteen thousand may be assigned to Massachusetts, three thousand

Population and prosperity.

[1] Ibid., 534, 604.
[2] Ibid., 593.
[3] Ibid., 593, 595.
[4] Ibid., 602.
[5] That is, the 21,200 reckoned by Johnson as the total immigration (see

each to Connecticut and Plymouth, and twenty-five hundred to New Haven.[1] The recent course of political events abroad made it probable that the colonists would not soon be annoyed by a repetition of those plots of enemies in the parent country which hitherto had been foiled; and the savages in their neighborhood they had partly intimidated, and partly won to friendship. Severally they had established governments and tribunals, which were, on the whole, in successful operation. They had organized and trained a military force proportioned to their means. They had founded an ample number of churches after the order which they approved, and had supplied the pulpits with pious and learned ministers. They had taken measures "to advance learning and perpetuate it to posterity." They had attached themselves to the soil by acquiring freeholds and making homes. And they had fallen into methods of industry, which promised to themselves and their descendants a sufficiency of the means of living.[2]

Vol. I. 584, note 4), with their increase down to 1643, *minus* those who had returned to England, or gone to Narragansett Bay.

[1] The number of males in Plymouth of the military age, in August, 1643, was 627. (Plym. Rec., VIII. 187–197.) According to the usual reckoning, this represents a population of 3,135. But, considering how recent was the immigration, I think the number of men in middle life may have somewhat exceeded the common proportion, and I therefore rate the population of Plymouth at 3,000. Now, by the fourth Article of Confederation, the quota of troops to be furnished by each Colony was to be in proportion to the number of its males of military age. The fifth Article made a provisional arrangement, to be in force only till a census should be taken. It was taken without delay. (Mass. Rec., II. 37, 38, 41.) Its results (unfortunately unknown to us, except in the case of Plymouth) were in the hands of the Commissioners when they met in September, 1643; and, thus instructed, they apportioned to Massachusetts a levy of 150 men; to Plymouth, of 30; to Connecticut, of 30; and to New Haven, of 25. (Hazard, II. 10; comp. 109.) From these elements, by very simple arithmetic, I derive the statement in the text.

[2] "Having planted fifty towns and villages, built thirty or forty churches, and more ministers' houses, a castle, a college, prisons, forts, cartways, causeys many, and all these upon our own charges, no public hand reaching out any help, having comfortable houses, gardens, orchards, grounds fenced, corn-fields, &c." (New England's First Fruits, &c., London, 1643.)

The governments of the several Colonies were framed on the same general model. No one of them had definite reference to any superior authority in England.[1] In all of them the freemen were the fountain of power.[2] This popular feature of their constitutions, if it had not been their choice, would have been a necessity of their circumstances. When forty men, in their solitude at Plymouth, saw occasion for engaging the power of the whole to take care of the well-being of each, that end was obviously to be attained only by a concert of the whole or of the larger number, — in other words, by the rule of a majority; for no one or more of the party that had come over possessed hereditary or delegated authority to govern the rest. The organization of the second Colony was made under its charter, which gave to the freemen power to elect their officers and establish rules for their government, and placed them under no other control. When Connecticut and New Haven came to be founded, it was on principles of administration unlike in some considerable particulars. They diverged somewhat from Massachusetts in directions opposite to each other. But neither of those communities possessed materials for the erection of any other than a popular polity; nor, in their position, or in their ways of thought, did their people find any motive for a wide deviation from the pattern of those societies of their friends which they saw so auspiciously established.

Self-government.

[1] To this remark it may be thought that an exception should be made for Plymouth. (See Vol. I. 546.) But it was of no practical account.

[2] But in Massachusetts others might make and debate motions in the public meetings. "Every man, whether inhabitant or foreigner, free or not free, shall have liberty to come to any court, council, or town-meeting, and either by speech or writing to move any lawful, seasonable, and material question, or to present any necessary motion, complaint, petition, bill, or information," &c. (Body of Liberties, in Mass. Hist. Coll., XXVIII. 218.) And in Connecticut, non-freemen were admitted to vote in the choice of Deputies from towns, and in nominating candidates for the franchise to the General Court. (Conn. Rec., I. 23, 96.)

In no one of the Colonies was suffrage universal; such an extension of political power would not have been in accordance with existing opinions respecting the conditions of public safety. In all alike, from the time when a beginning had been made, admission to the franchise was obtained through a vote of those who were already in possession of it. In Massachusetts and in New Haven, the discretion of the freemen as to the admission of new associates was limited by a standing rule of exclusion for all but such as had been received into full communion with some church. This provision gave the government to a minority of the male inhabitants,[1] placing the larger number of men of ripe age in the position of mere wards of the commonwealth, as truly as women and minors occupy that position at the present day. There was no such restriction in Plymouth or in Connecticut. In those Colonies, the franchise was conferred on inhabitants of the respective towns by the votes, or on the recommendation, of such as were already freemen or residents therein.[2] But it may reasonably be believed that church-membership, — or, to speak more precisely, a religious character in the candidate, such as naturally led to church-membership, and was commonly found in union with it, — was also in Plymouth and Connecticut much regarded by the electors as a qualification of candidates for citizenship.[3] In these

Conditions of franchise.

[1] "Three parts of the people of the country remain out of the church." This was Lechford's estimate in 1640. (Plaine Dealing, 73; comp. 17.) In 1643, in Plymouth, only about 230 persons had acquired the franchise. (Plym. Rec., VIII. 173–177.) Down to the month of the confederation only 1,708 had been invested with citizenship in Massachusetts. (Mass. Rec., I. 366–379, II. 291, 293.) — Cotton wrote to Lord Say and Sele that no church-members were "excluded from the liberty of freemen." (Hutch. Hist., I. 435.) But some church-members did not claim that liberty. (Mass. Rec., II. 38.) They shrank from the vexations of office, which the possession of the franchise might inflict. (Ibid., 208.)

[2] Brigham, Compact, with the Charter and Laws, of the Colony of New Plymouth, 100, 170. — Conn. Rec., I. 21, 23, 96.

[3] In the "General Laws" of Ply-

Colonies, as well as in the others, a religious character was considered as the proper basis of confidence; nor were they without an equally intelligent sense of the necessity of excluding from their councils the enemies of their religious freedom.

Rulers were elected from year to year. In Massachusetts this annual resumption and new delegation of the corporate power was required by a provision of the charter. In all the Colonies, this system suited the views of men who felt that they were competent to self-government, and who understood and prized its securities. Each Colony had a chief magistrate, called *Governor*, whose power, though not altogether the same in the different jurisdictions, differed little in any from that of the other Magistrates, except in his being the organ of their will, and the moderator in public assemblies. All but Plymouth had a *Deputy-Governor* to take the Governor's place if it became vacant during the official term, and to act meanwhile with those members of the Council, who, under the name of *Assistants* in Massachusetts and Plymouth, and of *Magistrates* in the two western Colonies, were associated with the Governor in the highest functions of administration. The central authority was also shared by the *Deputies*, who, however, in no Colony constituted as yet a separate and co-ordinate branch of the government.[1]

Magistrates.

While the superior Magistrates were elected by the

mouth, published in 1671, it was provided, as a condition of receiving the franchise, that the candidate should be of "sober and peaceable conversation, orthodox in the fundamentals of religion." (Brigham, 258.) This may with much probability be regarded as only a legislative recognition of the practice of earlier times. So "a peaceable and honest conversation" became in Connecticut a condition of admission to the franchise (Conn. Rec., I. 290, 297, 331, 389, 417); and this would mean more or less according to the standard in the voter's mind.

[1] The separation of the Legislature into two branches, made in Massachusetts in 1644 (see Vol. I. 622), was adopted in Connecticut in 1645, till which time the Magistrates were a minority of the joint body. (Conn. Rec., I. 119.)

votes of the freemen of the whole Colony[1] counted together, the Deputies were chosen for each town by a majority of its voters, who were not however restricted in their choice to their own townspeople. In Massachusetts, the Governor was remuner-

Deputies.

[1] Of the forms of election of the highest officers in Massachusetts, we have a detailed description from the hand of an intelligent observer; — "The General Court electory sitting, when are present, in the church or meeting-house at Boston, the old Governor, Deputy, and all the Magistrates, and two Deputies or Burgesses for every town, or at least one, all the freemen are bidden to come in at one door, and bring their votes in papers for the new Governor, and deliver them down upon the table, before the Court, and so to pass forth at another door. Those that are absent send their votes by proxies. All being delivered in, the votes are counted, and, according to the major part, the old Governor pronounceth that such an one is chosen Governor for the year ensuing. Then the freemen, in like manner, bring their votes for the Deputy-Governor, who being also chosen, the Governor propoundeth the Assistants, one after the other. New Assistants are of late put in nomination, by an order of General Court, beforehand to be considered of. If a freeman give in a blank, that rejects the man named; if the freeman makes any mark with a pen upon the paper which he brings, that elects the man named; then the blanks and marked papers are numbered, and, according to the major part of either, the man in nomination stands elected or rejected. And so for all the Assistants. And after every new election, which is, by their patent, to be upon the last Wednesday in every Easter term, the new Governor and officers are all new sworn. The Governor and Assistants choose the Secretary. And all the Court, consisting of Governor, Deputy, Assistants, and Deputies of towns, give their votes as well as the rest; and the ministers and elders, and all church officers, have their votes also in all these elections of chief Magistrates." (Thomas Lechford, Plaine Dealing, or Newes from New England, 24; comp. Mass. Rec., I. 293, 333, II. 21, 37, 42.) Lechford was the London lawyer, whose professional practice did not please the General Court. (See Vol. I. 553.) He went home from Boston, August 3, 1641 (Plaine Dealing, 13), and published his "Plaine Dealing" in the following year, in London. "For some arts, construed to oppose, and as tending to subvert episcopacy," he had "suffered imprisonment, and a kind of banishment" (Ibid., Preface), and was "forth of his native country almost for the space of four years." (Ibid., 1.) In New England, where perhaps he did not pass the whole time of his exile, he changed his mind again, and returned home a friend to the episcopal establishment, but not a ferocious partisan. In a letter to Winthrop (December 11, 1638) Dudley said, "I have read over Mr. Lechford's book"; and added, "I have sent you the book herewith, that, instead of putting it to the press, as he desireth, it may rather be put into the fire, as I desire." (Proceedings of Mass. Hist. Soc., I. 311.) Dudley's wish may have been accomplished. From his references to the contents of the work which displeased him, it appears not to have been the "Plaine Dealing."

ated for his services by grants of the General Court, made from year to year; and Magistrates and Deputies received a fixed allowance for each day of their presence in the General Court, the Deputies being paid sometimes by their towns, and sometimes from the general treasury.[1] In Plymouth, the Magistrates, when on duty, had their living at the public charge.[2] Neither in Connecticut nor in New Haven does it appear that the Magistrates or Deputies received any regular stipend in the early times.[3] The treasury of each Colony was supplied by direct taxes upon property.[4] There was as yet no capitation tax or excise,[5] or duty on imported commodities.

Taxes.

The share, which, through their delegated voice in the General Courts, the towns had in the general legislation, was not the chief of the functions that belonged to them. The municipal jurisdictions present a peculiarity of the social system of New England, than which none more attracts, at this day, the attention of intelligent strangers, or has had more influence on the condition and the character of the people, through the eight generations of their history. The territory of these States, with the exception of that small portion at the north which remains unoccupied, is laid off into districts of moderate extent, and the inhabitants of each form a little body politic, with an administration of its

Towns.

[1] Mass. Rec., I. 183, 187, 228; II. 67; Mass. Hist. Coll., XXVIII. 226.— "They [the Assistants] have hitherto been volunteers, governing without pay from the people." (Johnson, Wonder-working Providence, Book I. Chap. XLV.; comp. Body of Liberties, Art. 63; Mass. Hist. Coll., XXI. 16–20.)

[2] Plym. Rec., I. 101, 127.

[3] Trumbull (History, I. 170) supposes that an allowance to the Governor of Connecticut of thirty pounds, in 1648, was the first that was made to any civil officer in that Colony. But as early as 1641, a grant was made to the Governor of 160 bushels of corn (worth about twenty-four pounds), and thirty pounds were voted to him in 1645. In 1648, an annual allowance of the latter amount (to both the Governor and Deputy-Governor) was made permanent. (Conn. Rec., I. 69 131, 161, 162.)

[4] Mass. Rec., I. 120.

[5] I believe the first poll-tax was levied in Massachusetts (Mass. Rec., II. 173), and the first excise in Plymouth (Plym. Rec., II. 103); both in 1646.

own, conducted, by officials of its own choice, according to its own will, within certain limits imposed by the higher common authority.[1] With something of the same propriety with which the nation may be said to be a confederacy of republics called *States*, each New-England State may be described as a confederacy of minor republics, called *Towns*. The system is the extreme opposite of a political centralization. To the utmost extent consistent with the common action and the common welfare of the aggregate of towns that make the State, the towns severally are empowered to take care of those interests of theirs which they respectively can best understand, and can most efficiently and most economically provide for; and these are identical with the interests which most directly concern the public security, comfort, and morals. Thus it belongs to them, and they are compelled by general laws of the States within which they are severally included, to protect the public health and order by means of a police; to maintain safe and convenient communication about and through their precinct by roads and bridges; to furnish food, clothing, and shelter to their poor; to provide for the education of all their children at their common charge. By force of this institution, every man in New England belongs to a small community of neighbors, known to the law as a corporation, with rights and liabilities as such, capable of suing and subject to be sued in the courts of justice, in disputes with any parties, individual or corporate.[2] Once a year the corporation

[1] In 1850, Massachusetts had 321 towns, Maine 396, New Hampshire 226, Vermont 248, Rhode Island 31, and Connecticut 153. (Seventh Census of the United States, 1 – 86.) The average number of inhabitants in the Rhode-Island towns was 4,760; in those of Maine, 1,470. In respect to the amount of population in their towns, these States present the two extremes.

[2] Towns began early to be admonished of their obligations by heavy fines for neglect. (See, e. g., Mass. Rec., I. 233.) The earliest *city* governments, those of New Haven and New London in Connecticut, were instituted in 1784. There are now cities in every New-England State. The rights and liabilities of cities and towns in relation to the State are the same.

chooses the administrators of its affairs, and determines the amount of money with which it will intrust them, and how this shall be raised.[1] If the State levies a general tax, it is the town treasuries that must pay it; and the State fixes the proportion due from each town, leaving it to the town to distribute the burden of its share in the assessment among its own people. As to matters of their own interest, the towns present their petitions, and, as to matters of general concern, they send their advice, to the central authorities. By their magistrates, they exercise a responsible supervision of the elections of officers of the town, the county, the State, and the nation.

The experience of later times dictated improvements of detail in the municipal system of New England; but its outline was complete when it was first devised.[2] At the epoch of the confederation, there were forty-nine towns in the four Colonies, of which number Plymouth had eight, Massachusetts thirty, Connecticut (including Saybrook) six, and New Haven five. The institution of towns, with their government of *Select-men*, had its origin in Massachusetts, and was borrowed thence by the other governments.[3] When the public business had assumed a methodical course, the establishment of towns took place in this manner. The General Court, in the

The difference between a city and a town is, that the former manages its affairs by representatives chosen by the citizens; the latter, by votes of the whole body of citizens in town-meeting. In law, a city is a town. In Connecticut, however, there are some peculiarities of the constitution of a city government, which qualify this doctrine.

[1] The aggregate amount of money which the towns of Massachusetts annually raise and expend within themselves is far greater than the amount collected and expended by the Commonwealth. But the State tax has varied too much from time to time to admit of a satisfactory statement of the proportion.

[2] There is nothing better in De Tocqueville than his treatment of this institution (Democracy in America, 41 – 60).

[3] Duxbury, the earliest Plymouth town after the original settlement, dates from 1637, when Charlestown and Dorchester had had municipal governors for two or three years. (See Vol. I. 381).

exercise of its rights, of ownership and jurisdiction, over the territory within its boundaries, granted a tract of land to a company of persons understood to be capable of supporting a minister, and authorized them to establish a plantation and a church. The land, when its bounds had been set out by a committee of the Court, was held at first by the company as proprietors in common.[1] To transact the joint business,— to build the meeting-house, choose and support the minister, admit new associates, distribute the lands among individuals, make the roads, preserve order, attend to weights and measures, and regulate a variety of miscellaneous affairs, — the organization of a local authority was immediately needed. With the growth of numbers and of interests, the town meetings, town by-laws, town offices and elections would assume more importance, and come to be regulated with more system, but still with irregularities and differences in different places, which at length would require to be reduced to some uniformity; and as, step by step, the relations of the towns to their own people, to one another, and to the whole community were developed, they led to new provisions of the central government, defining the municipal powers and obligations.

Almost from the beginning, each town had the following civil officers, chosen by its own freemen; namely, a board of Selectmen, varying in number from three to nine; a Clerk; a Treasurer; a Sealer of Weights and Measures; one or more Surveyors of Highways; a Constable; and one or more Tithing-men. Meanwhile the persons exercising ecclesiastical functions were officers of the same community, elected by the same constituents; for not only was there a church wherever there was a town, but the church was the nucleus about which the neighborhood constituting a town was gathered. It was

[1] Mass. Rec. I. 136, 141, 146, 156, 157, 179, 271, 279, 319; Conn. Rec., I. 36, 37, 58, 59. Comp. Gorges, America painted to the Life, 42.

not till after several generations, that the towns released themselves from the ecclesiastical element that belonged to their original constitution; and down to the present century, in most of the towns of Massachusetts, the proceedings and records of the municipality and of the religious congregation continued to be the same.

No want presses itself sooner on the attention of a community, than that of a regular administration of justice among its members. In the beginning of the Colonies, whatever of the judicial authority was not exercised by the body of freemen, resided in the central board of Magistrates. As litigation increased with the increase of numbers, inferior courts were instituted to exercise local jurisdiction. When the settlements of Plymouth had begun to extend, "two sufficient men, one of Yarmouth and another of Barnstable," were annually empowered, in association with an Assistant, "to hear and determine suits and controversies, betwixt party and party within the township, not exceeding three pounds."[1] Besides courts of this description, we read of no inferior tribunals in that Colony for many years; nor, in the primitive times, does any judicial authority, except the Court of Magistrates (or Assistants) and Plantation (or Town) Courts[2] (both borrowed from Plymouth and Massachusetts), appear to have been instituted in either Connecticut or New Haven.

Courts of justice.

1640. March 3.

In Massachusetts, "Inferior Courts" were early established, consisting each of five judges, one at least being a Magistrate resident within the jurisdiction of his Court, the others being persons appointed by the General Court from a list nominated by the freemen

1636. March 3.

[1] Brigham, Compact, &c., 66. Comp. Plym. Rec., II. 73, 118.

[2] N. H. Rec., I. 113; Conn. Rec., I. 130; comp. 12, 21, 69. The Plantation Courts of Connecticut had jurisdiction only in controversies involving sums not greater than forty shillings. In New Haven they might decide questions to the amount of twenty pounds, and inflict fines not exceeding five pounds, and the punishments of whipping and setting in the stocks.

of the towns within the same circuit. They were to hold a session every three months, with authority to "try all civil causes, whereof the debt or damage should not exceed ten pounds, and all criminal causes not concerning life, member, or banishment."[1] Town Courts, "for avoiding of the country's charge by bringing small causes to

1638. Sept. 6. the Courts of Assistants," were empowered to "hear and determine all causes, wherein the debt, or trespass, or damage, &c. did not exceed twenty shillings." These Courts "to order small causes" consisted of a single Magistrate, if there was one, resident in the town; for towns in which no Magistrate resided, three freemen were appointed by the General Court, any two of whom might exercise the same authority.[2] For the accommodation of persons temporarily in the country, "who cannot stay to attend the ordinary courts of

1639. June 6. justice," the Governor or Deputy-Governor, with two Assistants, might hold a Court with all the powers of a Court of Magistrates;[3] and before long, on account of the increase of business, quarterly Courts, consisting of "the Governor or Deputy," and two Mag-

Sept. 9. istrates residing "in or near to Boston," were invested with a jurisdiction similar to that exercised by the Inferior Courts.[4] "To ease the country of all unnecessary travels and charges," the system of Inferior Courts was amended, and those which met

1641. June 2. at Ipswich and Salem, now made to consist of the Magistrates there residing, with other persons to be designated by the General Court, were directed to sit at each of those places twice in every year, and were invested with all powers possessed by Courts of Assistants, "except trials for life, limbs, or

[1] Mass. Rec., I. 169; see Vol. I. 431, 617.

[2] Mass. Rec., I. 239; comp. 328.

[3] Ibid., 264. These were afterwards called *Merchants'* or *Strangers'* Courts.

[4] Ibid., 276. These Courts might impose a fine of twenty pounds.

banishment."[1] Accordingly, these Courts thenceforward had jurisdiction in cases of Divorce and of Probate of Wills. Next, "Boston Small Court" received "power to end any cause under a hundred pounds, as Salem and Ipswich had."[2] Appeals lay from the Town Courts to the Inferior or County Courts; from them to the Court of Assistants; and from the Court of Assistants to the General Court. To this the pardoning power exclusively belonged;[3] and this, like the British Parliament, was the tribunal of final jurisdiction.[4] Suitors could not appeal from it to the King in Council, to a Commission for the Colonies, or to any other authority beyond sea.

1642. Sept. 27.

Massachusetts, alone of the four Colonies, appointed Justices of the Peace,[5] though essentially the functions appurtenant to that office were exercised in all the Colonies by the Magistrates. The local courts may be presumed to have had at first their records and processes under their own charge.[6] In Massachusetts, after a while, the office of "clerks of the writs" was instituted; it was made their duty to "grant summons and attachment in all civil actions;" one was appointed for each town; and they held their place for a year.[7] Courts, according to their dignity, were attended by the Beadle (afterwards called *Marshal*) of the Colony, who was appointed by the General Court,[8] and who received a liberal compensation in salary and fees,[9] — or by Constables, who

1641. Dec. 10.

[1] Mass. Rec., I. 325.

[2] Ibid., II. 28.

[3] Body of Liberties, Art. 72.

[4] "In the General Court are tried all actions and causes, civil and criminal, and also ecclesiastical, especially touching non-members; and they say that in the General and Quarterly Courts they have the power of Parliament, King's Bench, Common Pleas, Chancery, High-Commission, and Star-Chamber, and all other courts of England." (Lechford, 26.)

[5] Winthrop, Dudley, Saltonstall, Endicott, and Ludlow were invested with this dignity, August 23, 1630. (Mass. Rec., I. 74.) I do not find that there was any subsequent appointment of a Justice by that name. The Magistrates and the Commissioners of the Courts of Small Causes had the authority of Justices.

[6] Ibid., I. 275, 276.

[7] Ibid., 344.

[8] Ibid., 40, 128, 351.

[9] Ibid., 182, 217, 226, 262, 345. —

were chosen for a year, first by the General Court,[1] and afterwards by the towns, and who in the early times were taken from among men of property and consequence.

The system of trial by jury was in force, except in New Haven,[2] which could find nothing of jurymen in the Old Testament. In Plymouth, that institution is the only fruit that remains of the legislation of the first five years; and a Grand Jury was provided for in the earliest code.[3] In Massachusetts, juries of inquest and a petit jury were impanelled within a few months after the arrival of Winthrop's company.[4] The rule in that Colony was for the Secretary, fourteen days before a Court was held, to name twenty-four jurymen, and issue a precept to the Marshal to require their attendance.[5] Grand Juries in due time became a permanent institution, and two were summoned every year.[6] Judges might at their discretion declare the law to the jury, or refer to them the questions of both law and fact.[7] But the perpetually recurring dispute upon the respective provinces of court and jury did not fail to arise in the young community, and even the utility of the trial by jury was once, at least, brought into serious debate.[8] The business of

Juries.

1630. September.

1635. March 4.

I cannot determine the time when there began to be more than one Marshal. It would be natural to identify it with the time of the institution of Counties, in 1643, so that each County should have the officer whom we now name *Sheriff*. The record of December 10, 1641 (Mass. Rec., I. 345), implies, though not unequivocally, that there was more than one Marshal in the Colony; but later records (Ibid., II. 30, 44, 107, &c.) suggest the opposite inference. I think, at all events, there were Marshals in 1647 (Ibid., 204).

[1] Ibid., 76.

[2] Hubbard (General History, &c., 321) seems to have attributed the absence of a provision for trial by jury, in New Haven, to a preference formed by Eaton for the juridical practice witnessed by him on the continent of Europe. But it is more naturally ascribed to the aim to assimilate the institutions of that Colony to the Jewish standard.

[3] See Vol. I. 340; Brigham, 41.

[4] Mass. Rec., I. 77, 78, 81.

[5] Ibid., 110.

[6] Ibid., 143.

[7] Ibid., II. 21.

[8] Ibid., 28.

Town Courts, as of Justices' Courts now, was conducted without it. In Connecticut, while trial by jury was practised from the first,[1] the Grand Jury of Inquest appears to have been a later institution.[2] And the difficulty of bringing trial juries to unite in a verdict where there was so little of definite law for their guidance, led to the singular provision, that, on a continued failure to agree, after conference with the Court, a majority of the jury should decide the issue, and, if they were equally divided, it should be determined by the sitting Magistrates.[3]

1643. July 5.

April 13.

There were no professional advocates.[4] A prisoner or suitor might plead his own cause, or a friend might appear in his behalf. The methods of process had a general conformity to those of the Common Law, with which some of the leading men were familiarly acquainted. Issues of debt and account were to be tried by the Court nearest to the defendant's place of residence; "other actions, within that jurisdiction where the cause of action did arise."[5] Attachments were to be made by notice left at the defendant's house; and, in his absence, judgment against him was not to be executed till the plaintiff should have given a bond to make indemnity in case of a reversal on appeal.[6] The only ceremony attendant upon an oath was the lifting of the right hand. The English practice of kissing the book was rejected as idolatrous.

Processes.

The earliest colonial code of statutes was that of Plymouth.[7] Not framed upon any theory of conformity to the Jewish law, or to the law of England, it consisted of such provisions as on general

1636. Nov. 15. Statutes of Plymouth.

[1] Conn. Rec., I. 9.
[2] Ibid., 91.
[3] Ibid., 84.
[4] See Vol. I. 553. Lechford, 28. Body of Liberties, Art. 26, in Mass. Hist. Coll., XXVIII. 220. Winthrop, II. 36.
[5] Mass. Rec., I. 169, II. 16, 17.
[6] Ibid., II. 80.
[7] See Vol. I. 340 *et seq.*, 546 *et seq.*

principles of jurisprudence, and after sixteen years' local experience, appeared suitable to secure the well-being of the little community. It was digested under about fifty titles. It asserted a right of exemption from all laws "but such as should be made or imposed by consent" of the body of the associates, or their representatives legally assembled. It recognized eight capital offences; namely, "treason or rebellion against the person of the King, State, or Commonwealth either of England or these colonies," wilful murder, witchcraft, arson of ships or houses, adultery, rape, and crimes against nature. Other crimes it made punishable "at the discretion of the Magistrates." It ordained, that offences should be presented by juries of inquest, and "that all trials, whether capital or between man and man," should "be tried by juries according to the precedents of the law of England, as near as might be." It allowed persons not possessing the franchise to be jurymen. It obliged towns to build and maintain roads, stocks, cages for the confinement of prisoners, and whipping-posts. In transfers of real estate, it required acknowledgment before a magistrate, and a public record. Inheritances were to "descend according to the commendable custom of England and hold of East Greenwich." A widow was entitled to the use, during her life, of a third part of her husband's real estate, and to "a third part of his goods, to be at her own disposing." Men and property might be impressed for the public service; the latter, or its use, was to be paid for, and soldiers disabled in war were to be maintained for life at the public charge. A uniform standard of weights and measures was prescribed. Marriages, even without the approval of parents, might be contracted, "with the consent of the Governor or some Assistant, to whom the persons were known." Every resident was to provide himself with certain arms and accoutrements. "None might retail wine, strong water, or beer, either within doors or with-

out, except in inns or victualling-houses allowed;" no beer might be charged higher than "two pence the Winchester quart;" and inn-keepers and other householders were made responsible for the sobriety of their inmates. A bounty of "four bushel of corn" was allowed for the killing of a wolf.

Added to these, a few simple regulations, relating mostly to the distribution of lands and the trespasses of domestic animals, made a body of law sufficient for the present needs of the orderly people of Plymouth.[1] With the slow development of new wants and interests, legislation extended slowly in the hands of the Magistrates and Deputies, who were obliged to refer their enactments for confirmation to the whole body of the freemen assembled in General Court. Regulations were made respecting roads, ferries, bridges, alarms, markets and fairs, inns and alehouses, precautions against fire, "the safety of the person of the Governor," the taking and sale of fish, the trespasses of swine, contracts of service, the wages and diet of day-laborers, the burning of woods, the training of troops, the "trading guns and powder with natives," and the "great abuse in taking of tobacco in very uncivil manner openly in the town streets and as men passed upon the highways, as also in the fields and as men were at work in the woods and fields, to the neglect of their labors and to the great reproach of the government." To "make any motion of marriage to any man's daughter or maid-servant, not having first obtained leave and consent of the parents or master so to do," was made punishable "either by fine, or corporal punishment, or both, at the discretions of the bench and according to the nature of the offence." Idlers were to give satisfaction as to their means of livelihood, or to be disposed of according to "the wisdom of the government." Profane

1636–1644.

[1] Brigham, Compact, &c., 41–54.

swearers were to be fined twelve pence, or set in the stocks, or imprisoned, "according to the nature and quality of the person." Towns were empowered to make by-laws, to assess and collect taxes for town expenses, and to apprentice the children of pauper parents. At every meeting of the freemen, or of their Magistrates, of which a record remains, attention was given to the military organization and supplies.[1]

Fundamental Laws of Massachusetts. Body of Liberties.

In Massachusetts, for more than ten years the administration of justice was without the security either of a system of statutes, or of any recognition of the authority of the Common Law of the mother country. The law dispensed by the magistrates was no other than equity, as its principles and rules existed in their own reason and conscience, instructed by Scripture. The reader is apprised of the solicitude of the people to obtain the safeguard of a written code, and of the considerations which induced the leaders to obstruct their wish.[2] This difference led to a long struggle, which, however, was carried on without acrimony, because the defensive party needed no other weapon than a good-natured procrastination, capable of being extended almost at pleasure.[3] At length

[1] Brigham, Compact, &c., 54 – 78.

[2] See Vol I. 442.

[3] The process by which on this occasion the public will was obstructed by men who had nothing but the public good at heart, deserves to be related with some detail.

In the first year that Deputies from the towns took their place in the General Court, "John Winthrop and Richard Bellingham, Esq. [March 4, 1635] were desired by the Court to take a view of all orders already made, and to inform the next General Court which of them they judged meet to be altered, abbreviated, repealed, corrected, enlarged, or explained, &c." (Mass. Rec., I. 137.) The General Court came together, May 6, and, the business remaining undone, "the Governor [Haynes], Deputy-Governor [Bellingham], John Winthrop, and Thomas Dudley, Esq. were deputed by the Court to make a draft of such laws as they should judge needful for the well-ordering of this plantation, and to present the same to the Court." (Ibid., 147 ; comp. Winthrop, I. 160.)

A year passed. Another General Court assembled ; and "the Governor [Vane], Deputy-Governor [Winthrop], Thomas Dudley, John Haynes, Richard Bellingham, Esq., Mr. Cotton, Mr. Peter, and Mr. Shepard were en-

the time came when the force of the reasons which had prevailed against the measure was abated; and in a session which "continued three weeks," the General Court,

treated [May 25, 1636] to make a draft of laws agreeable to the word of God, which might be the fundamentals of this Commonwealth, and to present the same to the next General Court." (Mass. Rec., I. 174.) Provisionally "the Magistrates and their associates" were to "proceed in the Courts to hear and determine all causes according to the laws now established; and where there is no law, then as near the law of God as they can." The public attention was distracted by the Pequot war and the Antinomian controversy. Haynes was just going away; the young Governor had already enough upon his hands; and others of the commission had no heart for the business. Cotton held a ready pen, and loved a various activity. At the time appointed he was all prepared, and "did present a copy of Moses his judicials, compiled in an exact method, which were taken into further consideration till the next General Court." (Winthrop, I. 202.) It was probably easy for the quietists to persuade the Court that it would be scarcely decorous for them to act when one only of their committee had given his advice.

Two years had followed since their last action, and still the freemen in General Court saw the Sisyphian stone lying at the bottom of the hill. Patient, but tenacious of their purpose, they tried the virtue of a more formal method (March 12, 1638), and "ordered that the freemen of every town (or some part thereof chosen by the rest) within this jurisdiction shall assemble together in their several towns, and collect the heads of such necessary and fundamental laws as may be suitable to the times and places where God by his providence hath cast us, and the heads of such laws to deliver in writing to the Governor for the time being before the 5th day of the 4th month, called June, next, to the intent that the same Governor, together with the rest of the Standing Council, and Richard Bellingham, Esq., Mr. Bulkley, Mr. Phillips, Mr. Peter, and Mr. Shepard, elders of several churches, Mr. Nathaniel Ward, Mr. William Spencer, and Mr. William Hathorne, or the major part of them, may, upon the survey of such heads of laws, make a compendious abridgment of the same by the General Court in autumn next, adding yet to the same or detracting therefrom what in their wisdoms shall seem meet, so that, the whole work being perfected to the best of their skill, it may be presented to the General Court for confirmation or rejection, as the Court shall adjudge." (Mass. Rec., I. 222.)

Fifteen months came and went, but "most of the magistrates and some of the elders were not forward in the matter" (Winthrop, I. 322); and the General Court, vainly indulging the thought that a beginning, at least, might be made, was fain to order (June 6, 1639) "that the Marshal shall give notice to the Committee about the body of laws, to send unto the next General Court such drafts of laws as they had prepared, for the Court to take order about them what to settle." (Mass. Rec., I. 262.)

Still the coveted object did but mock their hopes with the show of having been approached. The tactics of delay were inexhaustible. Some "drafts of laws" indeed came in (two only, as far as we know, — Cotton's and Ward's); but the best that their friends could get done for them was an order (No-

apparently with unanimous consent, established one hundred fundamental laws, which were called *The Body of Liberties.* In the Act for their adoption, however, the wariness of past years was not abandoned. "Because our duty and desire is to do nothing

1641. December.

vember 5, 1639) that "the Governor [Winthrop], Deputy-Governor [Dudley], Treasurer [Bellingham], and Mr. Stoughton, or any three of them, with two or more of the Deputies of Boston, Charlestown, or Roxbury, shall peruse all those models which have been, or shall be, further presented to this Court, or themselves, concerning a form of government and laws to be established, and shall draw them up into one body (altering, adding, or omitting what they shall think fit), and shall take order that the same shall be copied out and sent to the several towns, that the elders of the churches and the freemen may consider of them against the next General Court." (Ibid., 279.) And the case must have seemed to be getting well-nigh desperate, when, six months later yet (May 13, 1640), in consideration that "a breviate of laws was formerly sent forth to be considered by the elders of the churches and other freemen of this Commonwealth," it was "desired that they would endeavor to ripen their thoughts and counsels about the same by the General Court in the next eighth month." (Ibid., 292.) "The next eighth month" accomplished no more than its predecessors. The Court met, but the question was somehow kept out of notice.

It came to be differently treated, when, on the one hand, from several years' experience, the characteristics of a useful jurisprudence had at length disclosed themselves, and, on the other, Parliament was crowding on the King, and in Massachusetts the fear of impending hostility from England was dying away. There had probably grown up a sincere disposition among the guides of public action to meet the popular wish for a legal code, when (June 2, 1641), in the place of an interminable consultation of the towns, the service of a learned lawyer was enlisted, and "the Governor [Bellingham] was appointed to peruse all the laws, and take notice of what may be fit to be repealed, what to be rectified, what to stand, and make return to the next General Court." (Ibid., 320.) And when, sufficient time having been allowed for this examination, "the Governor and Mr. Hathorne were desired [October 7] to speak to Mr. Ward for a copy of the Liberties and of the Capital Laws to be transcribed and sent to the several towns" (Ibid., 341), the order may be held to indicate a general desire in high quarters that the Deputies might next come together prepared for definitive action in favor of his code. The session of the General Court which adopted this vote was continued by adjournments more than two months. And that the project of a Statute-Book, and of Ward's in particular, was still gaining favor, may be inferred from the passage of an order (December 10) by which "Mr. Deputy Endicott, Mr. Downing, and Mr. Hathorne are authorized to get nineteen copies of the laws, liberties, and the forms of oaths transcribed and subscribed by their several hands, and none to be authentic but such as they subscribe, and to be paid for by the constable of each town, ten shillings apiece for each copy, and to be prepared within six weeks." (Ibid., 344.)

suddenly which fundamentally concerns us, we decree that these Rights and Liberties be audibly read and deliberately weighed in every General Court that shall be held within three years next ensuing; and such of them as shall not be altered or repealed, they shall stand

At length, in a session which "continued three weeks," (in December,) the General Court "established the hundred laws which were called *The Body of Liberties*. They . . . . . had been revised and altered by the Court, and sent forth into every town to be further considered of, and now again in this Court they were revised, amended, and presented." (Winthrop, II. 55.) This extremely important document was printed for the first time in the Collections of the Massachusetts Historical Society (XXVIII. 191 *et seq.*) from a manuscript copy, which Mr. Francis Calley Gray found, forty years ago, in the Boston Athenæum. The manuscript was bound up with a volume of the Colony Laws published in 1672, which had belonged to Governor Hutchinson's grandfather. Mr. Gray has illustrated the work in a learned and judicious essay.

It is proper to add, that the abortive treatise of Cotton, mentioned above, was printed in England, in 1641, in a small quarto volume of seventeen pages, with the unauthorized and incongruous title, "An Abstract of the Laws of New England as they are now established." Copies of this edition are not very rare. Another edition (London, 1655) was, according to its title-page, "published after his [Cotton's] death, by William Aspinwall." Aspinwall's edition does not adopt the error in the title of its predecessor, but calls the book "An Abstract of Laws and Government . . . . . collected and digested into the ensuing Method by that godly, grave, and judicious divine, Mr. John Cotton of Boston in New England, in his Lifetime, and presented to the General Court of Massachusetts." The truth is, it never got further than to be presented. It never had any authority. Nor is there any good foundation for Hutchinson's remark (Collections, 161), that, when the freemen "compiled their laws, they made this abstract their plan in general." The provisions of the "Body of Liberties," adopted five years after Cotton presented his compend, have no such resemblance to it as would justify the calling of one "an Abstract," or even the basis, of the other.

Cotton endeavored to furnish Biblical authority for most of the provisions of his code. For instance, he says, "The Governor hath power . . . . . to send out warrants for the calling of the General Court;" and he proves it from Joshua xxiv. 1: "And Joshua gathered all the tribes of Israel to Shechem." And again, "Every Court shall have . . . . . a Secretary to enroll all the acts of the Court;" for which the authority is Jeremiah xxxvi. 10: "Then read Baruch in the book the words of Jeremiah, in the house of the Lord, in the chamber of Gemariah, the son of Shaphan the scribe, in the higher court." The treatise is distributed under ten titles; namely: "Of Magistrates; of the Free Burgesses and Free Inhabitants; of the Protection and Provision of the Country; of the Right of Inheritance; of Commerce; of Trespasses; of [Capital] Crimes; of other Crimes, less Heinous; of the Trial of Causes; of Causes Criminal between our People and Foreign Nations."

so ratified that no man shall infringe them without due punishment."[1]

"They had been composed by Mr. Nathaniel Ward, sometime pastor of the church of Ipswich. He had been a minister in England, and formerly a student and practiser in the courts of the Common Law."[2] His acute and vigorous mind was well stored with juridical learning, and his work now produced will compare favorably with other works of its class, in any age. Under ninety-eight heads or propositions, — making, with the preamble and close, a hundred sections, — it first lays down those fundamental principles relating to the sacredness of life, liberty, property, and reputation, which are the special subject-matter of a Bill of Rights. It then goes on to prescribe general rules of judicial proceeding; to define the privileges and duties of freemen; to provide for justice to women, children, servants, and foreigners, and for gentle treatment of the brute creation; to declare capital offences, in ten specifications; and to describe the liberties and prerogatives of the churches. The first paragraph of the code is as follows: —

"No man's life shall be taken away; no man's honor or good name shall be stained; no man's person shall be arrested, restrained, banished, dismembered, nor anyways punished; no man shall be deprived of his wife or children; no man's goods or estate shall be taken away, nor any way endangered, under color of law, or countenance

[1] Body of Liberties, Art. 98.

[2] Winthrop, II. 55. — Ward had studied at Emmanuel College, Cambridge, where he took the degree of Master of Arts in 1603. He was afterwards Rector of Standon-Massye, in Essex, from which place he wrote to John Cotton (December 13, 1631), "I was yesterday convented before the Bishop; . . . . . I expect measure hard enough." (Hutchinson, Hist., I. 115.) He came to Massachusetts in 1634, and was presently made Pastor of the church of Ipswich, which office he retained only about two years, though he remained in the Colony ten or eleven years longer. Of his wisdom and learning, the great monument is the Massachusetts Body of Liberties; of his wit and intolerance, the tract entitled "The Simple Cobler of Aggawam," published in London in 1647, and reprinted since, at least three times.

of authority; unless it be by virtue or equity of some express law of the country warranting the same, established by the General Court and sufficiently published, or, in case of the defect of the law in any particular case, by the word of God;[1] — and in capital cases, or in cases concerning dismembering or banishment, according to that word to be judged by the General Court."

The religious character of the people, and their habit of interpreting Scripture as a universal statute-book, naturally prompted this adoption of it as the ultimate rule of their administration. There is no higher, and no other just conception of human law, than was theirs, when they recognized it as an embodiment of the will — in other words, of the law — of God. So far as human legislation conforms to that standard, in respect to the relations between man and man, it is correct and salutary. So far as it deviates, it is erroneous, and it is unprofitable or oppressive.[2] The mistake which had more or less clouded the mind of the Puritan New-Englander was in his regarding the law of Moses as a declaration of the law of God for all times and places. But he did not embrace this error in its full extent; and considerations quite apart from it inclined him to respect the Mosaic code. Its spirit of liberty and equality recommended it to his approval. The severity of the English law, which at that time punished with death more than thirty offences,[3] properly inclined him to prefer a system

[1] The instrument of voluntary combination in Connecticut, in 1638, implied the same doctrine. (Conn. Rec., I. 21. See Vol. I. 536.)

[2] That admirable person, the late Archdeacon Hare, said many things equally new and true. But it was nothing new when he said, "The business of human laws is, in all things, as closely and faithfully as may be, to express the will of the Supreme Lawgiver." (Sermons preached on Particular Occasions, 211.)

[3] Thirty-one kinds of crime were capital in England at the end of Queen Elizabeth's reign. (Sir James Mackintosh, Speech on the Reform of Criminal Law, March 2, 1819, in Hansard, XXXIX. 808; comp. Hale, Pleas of the Crown, 3 *et seq.*) Afterwards the law grew more cruel. "I hold in my hand a list of those offences which at this moment are capital; in number, two hundred and twenty-three." (Hansard, XXXIX. 809.)

so much more humane on the whole. And among various considerations this may not have been esteemed the least weighty, — that an adoption of the Jewish code involved a rejection of that English system of jurisprudence, the admission of which would have entailed long consequences adverse to the cherished hope of self-government. The roots of the Common Law had not then been so disengaged as they now are from the hierarchy and the feudalism of England.

Ward was capable of the great business to which he was set. When, superior to bias alike from his early professional studies and from superstitious veneration for the code of Moses, he announced the principle that life, liberty, or property was not to be invaded except by virtue of express law, established by the local authority and sufficiently published, a step was taken than which none could be more important towards creating at once a prosperous and an independent commonwealth. By the charter of the Massachusetts Company the government which it constituted was forbidden to make laws repugnant to the laws of England. Ward's formula gave solemn utterance to the doctrine that, in Massachusetts, English law had no other than this restrictive force, and that within the limit so prescribed she was competent to build up such a system of jurisprudence as her condition and wants should seem to herself to require. As long as that principle was respected in practice, the King could touch no man within her territory. It was almost a Declaration of Independence.

In respect to the penalty of death, Ward and his associates had tender scruples, and in the Body of Liberties the laws for inflicting it are sustained by references to Scripture. But such references are made in no other part of the code. Ward had looked up to Cotton as a religious adviser, before they left England. But, with his professional training and his habits of thought, it was

impossible that he should have much admiration for the Teacher of Boston as a maker of laws and constitutions; and, though an earlier scheme had been fortified by that eminent person with Scriptural authorities, Ward does not appear to have paid the slightest regard to it in preparing his own. Even in respect to capital crimes, he did not adopt the whole code of Moses; he did not make the striking or reviling of parents, or the breaking of the Sabbath, punishable with death. That penalty was imposed for only ten offences. These were, idolatry; witchcraft; blasphemy, when "direct, express, presumptuous, or high-handed;" homicide, whether committed in malice or in passion; adultery; two other crimes of lust;[1] man-stealing; false witness, "of purpose to take any man's life;" and treason against the Commonwealth.[2]

Ward's laws of inheritance and of servitude borrowed principles from the Law of Moses. The oldest son of a parent dying intestate was to have "a double portion of his whole estate, real and personal, unless the General Court, upon just cause alleged, should judge otherwise."[3] Servants, — of whom there were a considerable number, bound by indentures, — if they fled from a cruel master, were to be "protected and sustained till due order should be taken for their relief." If they were excessively pun-

[1] Great consternation was occasioned by the discovery, in several instances, of unnatural crimes. The disgusted reader does not know what to think of the story of them, except that it was entirely believed, sometimes on the evidence of confession. Of course, among the adventurers who crowded hither from Europe, there were individuals grossly bad, and the restraints of the ascetic society into which they were brought may have quickened their brutal passions into a desperate depravity.

[2] The definition of treason is significant not only from its silence respecting all allegiance except to Massachusetts. Its terms are such as to threaten with a traitor's death all who should take the King's part against her: "If any man shall conspire and attempt any invasion, insurrection, or public rebellion against our Commonwealth, or shall endeavor to surprise any town or towns, fort or forts therein, or shall treacherously and perfidiously attempt the alteration and subversion of our frame of polity or government fundamentally, he shall be put to death." (Art. 94.)

[3] Body of Liberties, Art. 81; comp. Deut. xxi. 17.

ished, they were to be discharged and compensated. When they had rendered diligent service seven years, they were not to be "sent away empty."[1] The conditions of bondage were thus expressed: "There shall never be any bond-slavery, villanage, or captivity amongst us, unless it be lawful captives taken in just wars, and such strangers as willingly sell themselves, or are sold to us. And these shall have all the liberties and Christian usages which the law of God established in Israel concerning such persons doth morally require."[2]

[1] Body of Liberties, Arts. 85–88; comp. Exod. xxi. 26, 27; Lev. xxv. 39; Deut. xv. 12, 13.

[2] Body of Liberties, Art. 91. The being born of a slave mother is not mentioned among the causes of subjection to slavery; and in fact no person was ever born into legal slavery in Massachusetts. (Massachusetts Reports, IV. 128, 129; Cushing's Reports, X. 410.) Persons who "willingly sold themselves" must be supposed to have been generally such as contracted to labor for a term of years, though there may have been those who entered into such an engagement for their whole life; and the engagement, whatever was its limit as to duration, would be subject to be transferred to a third party, — in which case the original contractor would be "sold." (Colony Laws, Art. *Arrests;* comp. Winthrop, II. 347, Mass. Hist. Coll., XXI. 27.)

As early as the year 1638, there were two negro slaves in Massachusetts, held by Mr. Maverick, on Noddle's Island. (Josselyn, Two Voyages, &c., 28.) In the list of men capable of bearing arms, at Plymouth, in 1643, (Plym. Rec., VIII. 187,) occurs the name of "Abraham Pearse, the blackmore," from which we infer, both that negroes were not dispensed from military service in that Colony, and that their number was extremely small. Negro slaves in Massachusetts could take and hold property; Captain Keayne, in his will, made in 1653, left five pounds to his "three negars." (Historic-Geneal. Reg., VI. 156.) They served in the militia. (Mass. Rec., III. 268.) They testified in Courts of Justice. "Andrew, Mr. Oliver Wendell's negro," and "Cato, a negro," were witnesses on the trial of the British soldiers in 1770. (Depositions appended to the Short Narrative of the Horrid Massacre in Boston, &c., 56.) From the reverence entertained by the fathers of New England for the nuptial tie, it is safe to infer that slave husbands and wives were never parted. A negro slave might be a member of the church (Winthrop, II. 26); and this fact presents a curious question. As a church-member, he was eligible to the political franchise; and, if he should be actually invested with it, he would have a part in making laws to govern his master, — laws with which his master, if a non-communicant, would have had no concern except to obey them. But it is improbable that the Court would have made a slave — while a slave — a member of the Company, though he were a communicant.

In the year after the adoption of the Body of Liberties of Massachusetts, an order passed for printing that part which designated capital offences, and another crime (rape) was added to the list.[1] Before the end of the time for which the instrument had been provisionally adopted, two committees, consisting, the one of Winthrop, Dudley, and Hibbens, the other of "the Magistrates residing at Ipswich," were appointed "to consider of the Body of Liberties against the next General Court, what is fit to be repealed or allowed."[2] It may be presumed to have, on trial, obtained general favor, as the next General Court does not appear to have reconsidered it, and as it continued to be the rule of administration in after times.

1642. June 14.

1644. March 7.

The earliest code in Connecticut related only to capital offences. Adopted a year later than the Massachusetts Body of Liberties, it is in great part a verbal copy from that instrument.[3] Neither before, nor for several years after, the confederation of the Colonies, had New Haven any body of statutes. During this time the courts were guided in their decisions by what they received as the rules of equity and Scripture. "The fundamental order" on this subject was: — "The judicial laws of God, as they were delivered by Moses, and as they are a fence to the moral law, being neither typical nor ceremonial, nor having any reference to Canaan, shall be accounted of moral equity, and shall generally bind all offenders, and be a rule to all the courts in this jurisdiction in their

1642. Dec. 1. Laws in Connecticut and New Haven.

1644. April 3.

[1] Mass. Rec., II. 21, 22.

[2] Ibid., 61; comp. 39.

[3] Conn. Rec., I. 77. — Even the same Scriptural authorities are quoted. There is a transposition of the second and third articles (Blasphemy and Witchcraft), and there are some substitutions. The Massachusetts code punishes manslaughter and adultery with death; that of Connecticut omits these crimes, and puts in their place rape and incest. The articles which they have in common relate to idolatry, blasphemy, witchcraft, murder, unnatural crimes, man-stealing, perjury endangering life, and treason against the Colony.

proceedings against offenders, till they shall be branched out into particulars hereafter."[1]

The opinions of the present age respecting the proper province of law are not altogether the same as were

[1] N. H. Rec., I. 130; comp. 113. — Most American readers have heard of the "Blue Laws" of New Haven, which have been precisely described as making "one thin volume in folio," embracing the following among other provisions: "No one shall travel, cook victuals, make beds, sweep house, cut hair, or shave, on the Sabbath-day. No woman shall kiss her child on the Sabbath or Fasting day. No one shall read Common Prayer, keep Christmas or Saint days, make minced pies, dance, play cards, or play on any instrument of music, except the drum, trumpet, and jewsharp. Every male shall have his hair cut round, according to a cap." (General History of Connecticut, 65, 66, 68, 69, 82.) It is not perhaps so well known that these statements are without historical foundation. In the primitive age of the Colony, the discretionary action of the Magistrates sometimes resembled the discipline of the head of a family, rather than a formal legal administration; but the existence, at any time, of a code containing provisions such as are quoted above, is a mere fabrication, nor is there any record of so much as single judgments pronounced agreeably to the tenor of those provisions. The anonymous work which first vented the fiction was published in London in 1781, and a second edition appeared in the following year. The author was Samuel Peters, a loyalist and refugee. He was a college contemporary of Trumbull, the conscientiously exact historian of Connecticut, and is said to have been a native of the same town. Trumbull said of him, that "of all men with whom he had ever been acquainted, Dr. Peters he had thought, from his first knowledge of him, the least to be depended on as to any matter of fact." (Kingsley's Historical Discourse, p. 84.) The reader at all acquainted with Connecticut history may satisfy himself concerning Peters's credibility by five minutes' inspection of his work. The reader without such acquaintance will form some judgment of the author's capacity for telling the truth, when he comes upon the following representation of a scene on the river Connecticut: "Here water is consolidated without frost, by pressure, by swiftness, between the pinching, sturdy rocks, to such a degree of induration, that no iron crow can be forced into it; here iron, lead, and cork have one common weight." (General History, &c., p. 127.) Malte-Brun (Géographie Universelle, Liv. XIII.) expresses the judicious opinion that this must be "grossly exaggerated."

A small volume, containing "The [Connecticut] Code of 1650," was published in Hartford in 1822, with an Appendix of twelve pages, in duodecimo, entitled "New-Haven Antiquities, or Blue-Laws." Of course, this was a taking title, intended to help the sale, as was the binding of the book in blue covers. The collection, brief as it is, is in great part made up of a record of orders having nothing of a fanciful or rigorous character; — as, for instance, for the building of a meeting-house, for the laying out of lands, for a supply of arms. It embraces a few notices of punishment inflicted for drunkenness and impurity, but nothing of the kinds specified by Dr. Peters, and currently quoted as *Blue Laws*.

current at the time of the colonization of New England.[1] In all the Colonies, orders were made for the regulation of the prices of commodities and labor. This legislation was fluctuating, because experience could not fail speedily to show the inutility or mischief of each particular provision. The theory of a public control over the terms of private contracts is plausible; and, till experiments prosecuted in every promising direction had exposed its unsoundness, the idea was not abandoned that some new device would remedy the manifest defects of those which had preceded.[2] But the error was not native in New England, nor did it linger longest in that country. It was embodied in the statutes of the mother country at least as early as the fourteenth century; it continued in good credit there at least to the latest days of the Stuarts, long after it had been abandoned by the practical wisdom of the colonists;[3] and all along it was asserted in provisions much more comprehensive and more rigorous than theirs. The less objectionable legislation which was tried for the restraint of extravagance in dress, was also no invention of New England or of Puritanism. It had precedent in the earlier times of England.[4]

Regulation of prices and of expenses.

In Massachusetts, not only the support of the ministrations of religion, but personal attendance upon them,

[1] February 8, 1640, by the General Court of Connecticut, "Mr. Webster and Mr. Phelps are desired to consult with the elders of both plantations to prepare instructions against the next Court for the punishing of the sin of lying, which begins to be practised by many persons in this Commonwealth." (Conn. Rec., I. 62.)

[2] "The Court having found by experience, that it would not avail by any law to redress the excessive rates of laborers' and workmen's wages, &c., for, being restrained, they would either remove to other places where they might have more, or else, being able to live by planting and other employments of their own, they would not be hired at all," &c. (Winthrop, II. 24.)

[3] Macaulay, History of England, Chap. III., *juxt. calc.*

[4] Queen Elizabeth posted at the gates of London "selected grave citizens" to correct the costume of gallants who "exceeded a nail of a yard in depth of their ruffs." (Stowe, Chronicles, 869.)

LIBRARY SAN RAFAEL

was enforced by law.[1] This was no local peculiarity. It was law in England. It was law in Virginia, and had been so before New England had an English inhabitant.[2] In its theory — the theory of a right to control the individual, not only for his neighbor's protection, but for his own improvement — it was law after the universal traditions of Christendom. But, if the New-England founders had not been familiarized with it by example, it may well be supposed that they would have originated it for reasons of their own. The sense of a right to be exempt from public coercion takes different forms at different periods.[3] The democratic people of New England, in recent times, have supposed it to be no invasion of the citizen's liberty to require him to submit his children to instruction in reading, writing, and arithmetic, to the end that they may not grow up to be incapable and shiftless, chargeable and troublesome.[4] And on similar grounds, their predecessors in the primitive age considered it to be conducive to the public good, and unobjectionable to the individual, that he should be saved from the misery to himself, and the mischievousness to his neighbors, of ignorance respecting morals and religion. A godless population is a population ungovernable except by a despotism. To be capable of lasting liberty, a people must be religious. It is vital to free

Legal obligation to attend public worship.

[1] Mass. Rec., I. 140. — This legislation of Massachusetts was imitated in the other Colonies, probably as soon as occasion arose for it. (See Brigham, Compact, &c., 93; Conn. Rec., I. 524.)

[2] In 1610, every colonist of Virginia was obliged to attend church twice every Sunday, "upon pain, for the first fault, to lose their provision and allowance for the whole week following; for the second, to lose said allowance and also to be whipped; and for the third, to suffer death." (Force, Historical Tracts, III. (ii) 11; comp. Hening, Statutes at Large, I. 123, 144, 261.)

[3] A feudal baron would have deemed it altogether reasonable to burn a doubter of the real presence in the eucharist, but would have resented to the death any compulsion to have his children taught to read.

> "Thanks to St. Bothan, son of mine,
> Save Gawain, ne'er could pen a line;
> So sware I"

[4] General Statutes of Massachusetts, Chap. XLI. § 1.

government, that they who are to sustain and enjoy it should have a sense of the government of God.

Neither devout worshippers nor virtuous citizens can be made by law. But that proposition scarcely warrants an inference that the law can do nothing, or can do nothing without overbalancing disadvantages, towards bringing the citizen within the reach of influences helpful to his becoming devout and virtuous. And supposing law to be impotent for such purposes, still, before the colonization of New England, the experiment had not been made under circumstances of any good promise; experiments for such an object were well worth the making; and if anywhere there could be hope of their succeeding, it would be in a community so small, that every neighbor might be a guardian of every other, and that the edicts of law and the persuasions of Christianity might be aided by seasonable counsel and contagious example. The early law-makers in this country had had sad occasion to know, that a false and ineffective religion depraves the morals of a people, and sows the seeds of public wretchedness. Believing that in the Gospel which had so ennobled themselves there resided a power to render the same good office to all whom it addressed, they naturally esteemed it an act of duty and of kindness to take care that all should have the benefit of its ministrations. If the policy of their descendants in compelling the attendance of children at schools is less questionable, certainly the aim was not more elevated. If the doctrine be good, that the state cannot bear to have grossly ignorant citizens, it is hard to deny plausibility to the opinion that it was for the safety of the state that every citizen should be addressed every week with invitations to lead a religious life.[1]

[1] "Profane swearing, drunkenness, and beggars are but rare in the compass of this patent," wrote Lechford in 1641 (Plaine Dealing, 29). Drunkenness and beggars are without doubt nuisances in a community; and, if religious instruction will abate them, it serves a purpose of the commonwealth,

The religious objects of the colonists claimed attention immediately after their arrival. The planters at Plymouth had no new scheme of church order to devise. Theirs was the scheme of the English Independents, already put in practice and amended by themselves at Scrooby and at Leyden. It was imitated in Massachusetts by Skelton and Higginson, was adopted by the immigrants of the following year, and was carried to Connecticut and New Haven by the founders of those Colonies. A church was a company of believers, associated together by a mutual covenant to maintain and share Christian worship and ordinances, and to watch over each other's spiritual condition. The *covenants* — remarkably free, in the earliest times, from statements of doctrine — were what their name imports: they were mutual engagements, "in the presence of God, to walk together in all his ways, according as He was pleased to reveal himself in his blessed word of truth."[1] A church, it was held, "ought not to be of greater number than may ordinarily meet together conveniently in one place, nor ordinarily fewer than may conveniently

Organization of separate churches.

to say nothing of higher purposes. — "One may live there from year to year, and not see a drunkard, hear an oath, or meet a beggar." "As Ireland will not brook venomous beasts, so will not that land vile persons and loose livers." (New England's First Fruits.) — "I thank God I have lived in a Colony [Massachusetts] of many thousand English almost these twelve years; am held a very sociable man; yet I may considerately say, I never heard but one oath sworn, nor never saw one man drunk, nor ever heard of three women adulteresses, in all this time, that I can call to mind." (Simple Cobler of Aggawam, &c., by Theodore de la Guard, 67. The last part of the author's pseudonyme represents the surname of the author of the Body of Liberties; and the Greek compound *Theodore* is similar in construction and equivalent in sense to the Hebrew name *Nathaniel*. Aggawam was the Indian name of Ipswich, where Ward lived.)

[1] The covenant of the First Church of Salem contains no statement of doctrine (Upham's Second Century Lecture, &c., 67), nor that of the First Church of Boston (Drake, History of Boston, 93), nor that of the Second Church of Boston (Robbins, History of the Second Church, 209). I do not remember a material deviation from this catholic character in any of a considerable number of early covenants which have come under my eye. See, to this effect, Hutch. Col., 215. But comp. Dr. S. M. Worcester's Centennial Discourse, (Salem, 1835,) 58, 60.

carry on church work."[1] Persons so pledged and associated were church-members; and they, and no others, were entitled to come to the Lord's Supper, and to present their children for baptism. Each church was an independent body, competent to elect and ordain its officers; to admit, govern, censure, and expel[2] its members; and to do all other things properly pertaining to ecclesiastical order. A church fully furnished had a pastor and a teacher, whose duty it was to preach and to administer the ordinances, the distinctive function of the former being private and public exhortation, of the latter doctrinal and Scriptural explanation. Each church had also one or more "ruling elders," who shared with the "teaching elders" the province of discipline; and deacons, who had the charge of prudential concerns and of providing for the poor.[3] But the office of ruling elder was not uniformly kept up; the offices of pastor and of teacher were not long discriminated from each other,[4] and the practice of

[1] Platform of Church Discipline, Chap. III. § 4.

[2] "The excommunicate is held as an heathen and publican. Yet it hath been declared at Boston in divers cases, that children may eat with their parents excommunicate; that an elected magistrate excommunicate may hold his place, though it were better another were chosen [comp. Cotton's letter to Lord Say and Sele, in Hutchinson, I. 438]; that the excommunicate person may come and hear the word, and be present at prayer, so that he give not public offence by taking up an eminent place in the assembly. But at New Haven, where Master Davenport is pastor, the excommunicate is held out of the meeting, at the door, if he will hear, in frost, snow, and rain" (Lechford, 13); — an eagerness for the word which one does not always see now-a-days to call for such strong measures of repression, even in persons more creditably circumstanced.

[3] To these was added in theory the office of deaconess (Platform of Church Discipline, Chap. VII. § 7), though I have not met with an instance of its actual institution in New England. At Amsterdam the English congregation of Ainsworth and Johnson had an "ancient widow for a deaconess, who did service many years, though she was sixty years of age when she was chosen." (Bradford, in Young, Pilgrims, 455.)

[4] As early as 1640, the church of Watertown ordained a second pastor, while it had no teacher; but in this, says Winthrop (II. 18), they differed "from the practice of the other churches, as also they did in their privacy, not giving notice thereof to the neighboring churches, nor to the Magistrates, as the common practice was."

maintaining two preachers in each church, often departed from in the early times, went gradually into general disuse. The ruling elders and deacons, as well as the teaching elders, were consecrated to their trusts with religious solemnities.

Ministers.

At the time of the confederation there were nearly eighty ministers[1] in New England,[2] or one minister to about three hundred of the population. These were generally men who had been trained in the best learning of the time, as well as educated for vigorous action in the stern school of those persecutions which had driven them from their home. As many as half of the number are known to have been graduates of Oxford or Cambridge, the greater part being of the latter University. Some, prominent in their sect, had been sharers in the counsels and the conflicts of the Puritan leaders in England, of Leighton and Hildersham, of Preston and Twisse. Not seldom they were men of good property. The consideration in which some were held was the greater on account of their being highly connected.[3]

At first, ministers were provided for by voluntary con-

[1] When in this work "ministers" of religion are spoken of, teaching elders (pastors and teachers) are intended. They are generally called *elders* by the early writers. But this term, in this sense, is not familiar to modern ears, and it is equivocal as belonging also to an inferior rank in church office.

[2] Holmes (I. 266) places the number at seventy-seven in 1642. — Mr. Savage says (Winthrop, I. 265) that in 1638 "there were probably forty or fifty sons of the University of Cambridge in Old England — one for every two hundred or two hundred and fifty inhabitants — dwelling in the few villages of Massachusetts and Connecticut. The sons of Oxford were not few." And again: "If we include the clergy, who surely had as good a share of letters as their brethren educated at the same Universities of Oxford and Cambridge, there were in New England, at any time between 1630 and 1690, as many sons of those two famous nurseries of learning as would be found in a proportionate number of their fellow-subjects in the mother country." (Ibid., 145; comp. II. 331.)

[3] Mr. Whiting, of Lynn, had married a daughter of Oliver St. John. The wife of Mr. Sherman, of Watertown, is said by Mather (Magnalia, Book IV. Chap. XXIX. § 11) to have been a granddaughter of Earl Rivers. The father of Wilson, of Boston, was an eminent church dignitary, and his mother was the primate's niece.

tributions made every Sunday in the churches; and in Boston this method was kept up for considerably more than a century. But soon "the churches held a different course in raising the ministers' maintenance; some did it by way of taxation."[1] 1642.

A church officer, of whatever degree, was an officer only in his own congregation. The primitive doctrine of New England was, that no man was a clergyman in any sense, either before his election by a particular church, or after his relinquishment of the special trust so conferred; and that, even while in office, he was a layman to all the world except his own congregation, and had no right to exercise any clerical function elsewhere.[2] In the earliest times a minister was ordained, not by other ministers, but by officers of the church which had elected him, or, when it had no officers, then by some of its private members.[3] This absolute mutual independence of the churches was in principle equivalent to universal mutual toleration; and, if the original scheme of an ecclesiastical constitution had been carried out, there could have been no interference on the part of the whole community, as represented by its government, with the belief or practices of any single congregation. It has been seen how in Massachusetts the practical exigencies presented themselves, which induced great practical deviations from this theory. As soon as, for supposed reasons of public necessity, church-membership and political power were associated in the same persons, it became necessary for the public to look after the qualifications of church-members; and thus Church and State became insensibly united.[4] In Massachusetts, a meeting

Mutual relation of churches.

[1] Winthrop, I. 295, II. 93. Comp. Hutch. Col. 287–309; Hubbard, 412.

[2] Cambridge Platform, Chap. IX. §§ 6, 7; Cotton, Way Cleared, 16.

[3] See Winthrop, (II. 91,) for a case which indicates a growing doubt, in 1642, about the earlier practice. Comp. Cambridge Platform, Chap. IX. §§ 3–5.

[4] See Vol. I. 432–434.

of the whole body of freemen in a General Court was the same as a convention of members of all the churches. In the General Courts of Magistrates and Deputies, none but church-members could sit, or have a voice in choosing others to sit; — in other words, the whole Church of the Colony was represented in the aggregate of that board of Magistrates which church-members had elected; the lower house was a convocation of the several churches of the Colony, represented by the Deputies of the several towns. Thus, when the General Court took cognizance of ecclesiastical affairs, it was but the whole body of the Church legislating for its parts; and this, with the important peculiarity, that all the legislators by whom the Church exercised its supreme power were of the laity. The system had no element of resemblance to prelacy or presbytery. It was pure democracy installed in the ecclesiastical government.[1] In the Colony of New Haven a similar state of things existed. In Plymouth and Connecticut, where the association between church-membership and citizenship was not by law made definite and indispensable, there was less action of the government upon church affairs.

Public worship.

A few particulars may be mentioned of the manner of conducting public worship. It took place in what was called the *meeting-house*,[2] where assemblies for transacting the town's business and for other purposes were also held. In most of the congregations — bells being obtained but slowly — the assembly was summoned by beat of drum.[3] At the religious service,

[1] It is curious to see in the "Body of Liberties" (Article 95, "Of the Liberties the Lord Jesus hath given to the Churches") how, in the mind of the author, the original doctrines of Independency were struggling with considerations of the necessity which in Massachusetts was considered to have grown up for a control of the whole Church over the churches.

[2] "There is no just ground from Scripture to apply such a trope as *church* to a house for a public assembly." (Mather, Ratio Disciplinæ, 5.)

[3] Wonder-Working Providence, &c., 103.

families were divided, men and women sitting apart on their respective sides of the house, while boys had a place separate from both, with a tithing-man to keep them in order.[1] The men, or such portion of them as was from time to time thought sufficient, were required to come to their worship completely armed.[2] On each Sunday, — or *Sabbath*, as, adopting a designation which had fully won its way into use among the Puritans, they called the day of Christian worship, — two services were held, both by daylight. The service consisted of extemporaneous prayers; of the singing of the Psalms in a metrical version, without instrumental accompaniment;[3] and of

[1] The ruling elders had a seat immediately below the pulpit. On a plane further down sat the deacons, also facing the congregation. In the body of the house seats were permanently assigned with reference to the dignity of the occupants. After a meeting-house was built, the first proceeding towards its use was the intrusting of the delicate arrangement of *seating* to a committee of the church. For a list of Mr. Davenport's hearers at New Haven, in 1646, arranged in their allotted seats, see Bacon's Historical Discourses, 310.

[2] See, e. g., Brigham's Charter, &c., 115; Mass. Rec., I. 190.

[3] The version of the Psalter which the Colonists brought over, and used at first in their worship, was that made by Henry Ainsworth of Amsterdam. It continued to guide the devotions of Plymouth for seventy years, and those of Salem for forty. The version of Sternhold and Hopkins, however, appears to have been the book first used in Ipswich (Felt, History of Ipswich, &c., 212), and perhaps in some other places. In most of the churches both were superseded in 1640 by the "Bay Psalm-Book," so called, prepared by some New-England divines, — of whom three were Welde and Eliot, of Roxbury, and Mather, of Dorchester. It was issued from the press at Cambridge in that year, the second book printed in British America, and was as well received as any ever published there, for, sooner and later, it went through seventy editions. It also came into extensive use in Great Britain, especially in Scotland (Thomas, History of Printing, I. 233), and was not entirely disused there till after 1750. A couple of stanzas of the nineteenth Psalm, which is rendered by Addison in that beautiful lyric,

"The spacious firmament on high," &c.,

will afford a specimen of this version: —

"The heavens do declare
The majesty of God;
Also the firmament shows forth
His handiwork abroad.
Day speaks to day; knowledge
Night hath to night declared;
There neither speech nor language is,
Where their voice is not heard."

For eighty or ninety years, it is said, not more than ten different tunes, if so many, were used in public worship. Few congregations could sing more than the five tunes now known by the names of *York*, *Hackney*, *Windsor*, *St. Mary's*, and *Martyrs*. (Coffin, History of Newbury, 185, 186.) Instrumen-

a sermon, of which the approved length was an hour, measured by an hour-glass which stood upon the pulpit. "Preaching with notes," or reading sermons, "was very little practised" in the first century.[1] Sometimes the officers invited private members, or strangers who might be present, to *prophesy*, or exhort; and, under this practice, the occasional preaching of one minister in another's pulpit was justified.[2] The reading of the Bible in the public worship, without exposition, was generally disapproved, being regarded as an improper conformity to the hierarchical service, and qualified by the opprobrious name of *dumb reading*.[3] Children were baptized in the meeting-house, generally on the next Sunday after their birth; sometimes on the day of their birth, if it took place on a Sunday. Communicants sat while receiving the consecrated elements. For this practice two reasons were given; one, that the sitting posture corresponded to that of the disciples at the original institution; the other, that the practice of kneeling, significant of adoration, grew out of, and expressed, the Romish superstition of the Real Presence of the body and blood of God.[4]

Marriage, which in the mother Church was elevated into a sacrament, was here a mere civil contract, en-

tal music was absolutely proscribed. It was thought to be condemned by the text (Amos v. 23), "I will not hear the melody of thy viols;" and was disparagingly compared to Nebuchadnezzar's idolatrous concert of the "cornet, flute, dulcimer, sackbut, psaltery, and all kinds of music."

[1] Mather, Ratio Disciplinæ, 61; Lechford, 75. — Mather (Magnalia, Book III. Chap. XVIII.) supposes that Warham, of Dorchester, afterwards of Windsor, was the first person who read sermons in New England. Warham was a melancholy man, and could not always summon his powers.

[2] Hanbury, II. 156; Cotton, True Constitution, &c., 6. — "When a minister preacheth abroad, in another congregation, the ruling elder of the place, after the psalm sung, saying, 'If this present brother hath any word of exhortation for the people at this time, in the name of God let him say on,' this is held prophesying." (Lechford, 15.)

[3] Cotton, Way of the Churches, 67.

[4] The curious reader will find in Lechford (Plaine Dealing, 16 – 22) a minute account of the way of conducting public worship in Boston in 1640. Comp. Cotton, Way, &c., 66 – 70; Welde, Briefe Narration, &c., 7.

tered into before a magistrate.[1] The dead, elsewhere interred, with pious or superstitious awe, under the floor or the shadow of sacred edifices, in what was called consecrated ground and with solemn ritual observance, were buried here, without so much as prayer, in some convenient enclosure by the road-side. Religious services on these occasions were shunned, as having a connection with prelatical practices and doctrines, and an influence to conduct the mind back to them.[2]

Disuse of some forms of devotion.

Of regularly recurring holy days, none was recognized but the first day of the week, the day of the Redeemer's resurrection. In opposition to the judgment of Luther[3] and of Calvin,[4] as much as to the rubrics of Rome and England, Sunday was nearly identified with the *Sabbath*

[1] "The first marriage in this place, which, according to the laudable custom of the Low Countries, in which they had lived, was thought most requisite to be performed by the magistrate, as being a civil thing, ... and nowhere found in the Gospel to be laid on the ministers as a part of their office; . . . . . and this practice hath continued amongst not only them, but hath been followed by all the famous churches of Christ in these parts to this time, anno 1646." (Bradford, 101; comp. 330.) — "There was a great marriage to be solemnized at Boston. The bridegroom, being of Hingham, Mr. Hubbard's church, he was procured to preach, and came to Boston to that end. But the magistrates, hearing of it, sent to him to forbear. We were not willing to bring in the English custom of ministers' performing the solemnity of marriage, which sermons at such times might induce; but if any minister were present, and would bestow a word of exhortation, &c., it was permitted." (Winthrop, II. 382.) — "For many years after the first settlement of these Colonies, a marriage was ever celebrated by the civil magistrate, who not only gave the covenant unto the parties, but also made the prayers proper for the occasion." (Mather, Ratio Disciplinæ, 111; comp. Lechford, 39.) — After a while, commissioners were specially appointed to solemnize marriages in Massachusetts towns, where there was no magistrate. (Mass. Rec., III. 31, 109.) But I think no such appointments were made quite as early as the time now under consideration.

[2] "At burials nothing is read, nor any funeral sermon made; but all the neighborhood, or a good company of them, come together by the tolling of the bell, and carry the dead solemnly to his grave, and there stand by him while he is buried. The ministers are most commonly present." (Lechford, 39; comp. Ratio Disciplinæ, 117.)

[3] Comment. ad Galat. iv. 8–11, in Opp., V. 383–386.

[4] Instit., II. Cap. VIII. §§ 28–34.

of the Law of Moses; and every kind of recreation on that day was forbidden, as well as every kind of labor. Regular week-day lectures were preached in some principal places, and the Thursday forenoon lecture at Boston, instituted by Cotton, has, with one or two short interruptions, been kept up to the present day. The periodical fast-days and feast-days, sanctified by the ancient reverence of the Church, were scrupulously disregarded and discountenanced in New England.[1] But, for special occasions, fasts and thanksgivings were frequently observed by the whole community, or by single churches; and after a time, in the place of Good Friday and of Christmas, a Fast-Day was regularly kept at the season of annual planting, and a feast-day (Thanksgiving) at the time of the ingathering of the harvest. A kindred scrupulosity led to an avoidance of the word *Saint* even in connection with the names of Apostles and Evangelists, and to a designation of the months, and the days of the week, by numbers.[2] It was early a question whether the Sabbath should be held to begin at sunset, or at midnight, of Saturday. The former computation was favored in Connecticut. The latter was approved by Massachusetts law.[3]

[1] "If King James ever could boast of the purity in the Church of Scotland, that not so much as Easter or Christmas was observed in it, even such a boast may be humbly made about the churches of New England. Nor do these churches hitherto [that is, for nearly a century] discover any tendency towards a compliance with that which was one of the earliest apostasies and superstitions in the primitive times." (Mather, Ratio Disciplinæ, 187.)

[2] "They call the days of the week — beginning at the first — second, third, fourth, fifth, sixth, and seventh, which is Saturday. The months begin at March by the names of the first, second, and so forth to the twelfth, which is February; because they would avoid all memory of heathenish and idols' names." (Lechford, 21.) Winthrop (I. 153) first uses this new designation of the months in 1635; but he often afterwards recurs to the old method. The records of the Massachusetts Colony (I. 173) take up the fashion a year later; but neither do they, at first, adhere to it uniformly. The practice did not establish itself in the other Colonies, to judge from their records.

[3] Mass. Rec., III. 317.

Learning, after religion and social order, was the object nearest to the hearts of the New-England fathers. Rather, it should be said, they were persuaded that social order and a religious character could not subsist in the absence of mental culture.

Among a people, a large portion of whom were well informed, several were learned, and some were rich, there could not have been a dearth of books. Brewster left a library of two hundred and seventy-five substantial volumes; Harvard, of three hundred and twenty. Hooker's was appraised at three hundred pounds; Davenport's, at two hundred and thirty-three pounds; Stone's, at one hundred and twenty-seven pounds. In the ninth year of the charter government, a printing-press was established at Cambridge, — the first set up in British America. Joseph Glover gave to the College a "font of printing-letters," and "some gentlemen of Amsterdam" gave "forty-nine pounds and something more towards furnishing of a printing-press with letters."[1] Glover died on his voyage to Massachusetts, and the College placed their press under the management of Stephen Daye, who superintended it for ten years. "The first thing which was printed was the Freeman's Oath; the next was an Almanac made for New England by Mr. William Pierce, Mariner; the next was the Psalms newly turned into metre."[2]

Provisions for learning.

1639.

It may be presumed that in the earliest time there was little instruction of children except what was imparted in private families. In the third year after the debarkation at Plymouth, the colonists were informed of its having been asserted in London, that their "children were not catechized nor taught to read."

1623. Feb. 25.

[1] Records of Harvard College, as quoted in Quincy's History, I. 187. — In England, there was no printing-press at Exeter till thirty years after this time, at Manchester till nearly a hundred years, or at Liverpool till a hundred and ten years. (Trübner, Bibliographical Guide to American Literature, p. ix., ed 1855.)

[2] Winthrop, I. 209.

They replied: "This is not true, in neither part thereof; for divers take pains with their own, as they can. Indeed, we have no common school for want of a fit person, or, hitherto, means to maintain one, though we desire to
1635 begin."[1] Twelve years after this, the widow of
Feb. 11. Dr. Fuller received an apprentice under an engagement "to keep him at school two years."[2] But it was many years before public schools were established in Plymouth Colony by law.

In Massachusetts, the first step taken by the central
1641. government in respect to education was a re-
June 2. quest, "that the elders would make a catechism for the instruction of youth in the grounds of religion."[3] Soon after, in consideration of "the great neglect of many parents and masters in training up their children in learning, and labor, and other employments which might be profitable to the commonwealth," the select-
1642. men of towns were invested with authority to
June 14. "take account, from time to time, of all parents and masters, and of their children, concerning their calling and employment of their children, especially of their ability to read and understand the principles of religion[4] and the capital laws of the country." Selectmen were further empowered, "with consent of any Court or the Magistrate, to put forth apprentices the children of such as they should find not to be able and fit to employ and bring them up,"[5] and were to be presented by the Grand Jurors if they neglected this duty.[6] Boston had a school,

[1] Bradford, I. 62. — My ancestress, Desire (Howland) Gorham, daughter of two persons who (then young and unmarried) had come over in the Mayflower, signed her name, in her old age, as administratrix of her husband's estate, in an almost clerkly hand.

[2] Plym. Rec., I. 37.

[3] Mass. Rec., I. 328.

[4] It is likely that every family had a Bible, for they were not costly; in the inventory of the estate of Edward Tench, of New Haven, in 1639, a Bible in King James's version was appraised at five shillings, and a Geneva Bible at ten. Comp. Kilburne, Dangerous Errors in Printed Bibles, 5 – 7.

[5] Mass. Rec., II. 6, 7.

[6] Ibid., 9. — The following order, passed in Dedham in obedience to this

with some sort of public encouragement, in its fifth year. The inhabitants passed a vote, "that our brother Philemon Pormont be entreated to become schoolmaster for the teaching and nurturing of youth among us."[1] Pormont attached himself to the Antinomians, and went off to Exeter with Wheelwright. The Reverend Daniel Maude was appointed his successor; and for his maintenance a contribution of fifty pounds was made, of which sum Winthrop, Vane, and Bellingham gave each ten pounds. Five years later, the income from Deer Island, in Boston harbor, was appropriated to the support of a school.[2]

Schools.

1635. April 13.

1636. Aug. 12.

1641.

In New Haven, a provision for the education of the young was one of the earliest objects of attention. It was "ordered that a free school should be set up," and that Mr. Davenport and the Magistrates should "consider what yearly allowance was meet to be given to it out of the common stock of the town, and also what rules and orders were meet to be observed in and about the same."[3] The famous Ezekiel Cheever, afterwards of Boston, was the first schoolmaster of that place.[4] In Hartford, John Higginson, afterwards minister successively of Saybrook, Guilford, and Salem, taught

1642. Feb 25.

law, shows that the governors of that respectable town may have been spirited to their official duty by a sense of personal deficiencies. "It is agreed that the Selectmen doe take their corse to see the exseqution of the Court order consninge childring; viz. that we doe agree that two goe together when they goe to take account of the propheting of the youth." (Haven, Historical Address, &c., 58.)

[1] Snow, History of Boston, 348.

[2] Drake, History and Antiquities of Boston, 230, 267.

[3] N. H. Rec., I. 62; comp. 210.

[4] To Cheever, and to Corlet, of Cambridge, Cotton Mather gives the praise of saving New England from barbarism.

"'T is Corlet's pains, and Cheever's, we must own,
That thou, New England, art not Scythia grown."

And he thus commemorates Cheever's long life and labors: —

"He lived, and to vast age no illness knew;
Till Time's scythe waiting for him rusty grew,
He lived and wrought; his labors were immense,
But ne'er declined to preterperfect tense."

(Funeral Sermon upon Mr. Ezekiel Cheever, 28, 31.)

a school as early as the first or second year after the Pequot war.[1] Collins, the son-in-law of Mrs. Hutchinson, succeeded him.[2] Next, the school received a permanent endowment of thirty pounds, and the stipend of William Andrews as schoolmaster was fixed at sixteen pounds a year, the town voting at the same time to "pay for the schooling of the poor and for all deficiencies."[3] Newport was no less prompt in making provision for the instruction of the young. Mr. Robert Lenthal was "called to keep a public school for the learning of youth, and for his encouragement there was granted to him and his heirs one hundred acres of land, and four more for a house-lot;" and it was "voted that one hundred acres should be laid forth and appropriated for a school, for encouragement of the poorer sort, to train up their youth in learning."[4] But Lenthal soon went away,[5] and the policy of a public provision for education did not obtain permanent favor in Rhode Island.

1640.

1642.

1643.

1640. Aug. 20.

In the summer before the confederation of the Colonies, the first *Commencement* of Harvard College was held. Nine young men, having been four years under its instruction, were then admitted to the first academical degree, and "performed their acts so as gave good proof of their proficiency in the Tongues and Arts."[6] The course of study, adopted from the contemporaneous practice of the English Universities, consisted of Latin and Greek (in which some proficiency was required for admission); of logic, arithmetic, geometry, and physics; and of Hebrew, Chaldee, Syriac, and divinity, — the forming of a learned ministry being a

Harvard College. 1642.

[1] Magnalia, Book III. (ii.) Chap. I. § 15.

[2] Winthrop, II. 9.

[3] Hartford in the Olden Time, 161, 162.

[4] So says Callender (Historical Discourse, 116); but I do not find the statement in the printed Records.

[5] R. I. Rec., I. 119.

[6] Winthrop, II. 87.

main object of the institution.[1] Its beginning was not auspicious. Nathaniel Eaton, the person first placed at its head, was soon deposed, having been convicted of ill-treating the students, by giving them twenty or thirty stripes at a time and keeping them on scanty and unwholesome food; of beating his subordinate, Nathaniel Briscoe, in an inhuman manner; and of other misdemeanors. His successor was the learned and excellent Henry Dunster, who, when he accepted this great trust, had just arrived from England, having been there a non-conformist minister, after receiving an education at Emmanuel College, Cambridge. Under Dunster's administration a new era was inaugurated. The College soon acquired so high a reputation, that in several instances youth of opulent families in the parent country were sent over to receive their education in New England.[2]

1640. Aug. 27.

Such were some of the institutions and arrangements by which the governments of the New-England Colonies aimed to build up a virtuous, intelligent, and prosperous society. To carry on their functions, safe from enemies without and from disturbers within, governments require an organized physical force. In New England this consisted of a militia, which, in the early period, was composed of infantry alone. All males of the age for military service[3] were required to be provided with arms and a certain quantity of ammunition; those who were able, at their own expense, others at the expense of the towns.[4] The arms of private soldiers were pikes, muskets, and swords. The muskets had matchlocks or

Military system.

[1] The list of Latin theses discussed by the first graduating class is preserved in "New England's First Fruits" (12), and is copied into Hutchinson's History (I. 444).

[2] Wonder-Working Providence, 166.

[3] The military age was defined in Massachusetts to be from sixteen to sixty by the law of May 27, 1652. (Mass. Rec., III. 268.) This was probably the law or usage in the earlier times, but I have not observed any record to that effect.

[4] Mass. Rec., I. 84.

flintlocks, and to each one there was "a pair of bandoleers, or pouches for powder and bullets," and a stick, called a *rest*, for use in taking aim.[1] The pikes were ten feet in length, besides the spear at the end.[2] For defensive armor corselets were worn, and coats quilted with cotton. It does not appear that any uniform dress was attempted.

The *unit* of the organization was a train-band, of not fewer than sixty-four men, and not more than two hundred.[3] It was constituted of twice as many musketeers as pikemen; the latter being selected for their superior stature. The officers of a band were a Captain, a Lieutenant, an Ensign, and four Sergeants. The commissioned officers carried swords; partisans, otherwise called leading-staves; and (if they saw fit) pistols. The sergeants bore halberds. Company "trainings" were ordered to take place, at first, every Saturday;[4] then, every month;[5] then, eight times a year.[6] At Plymouth, by law, trainings were "always begun and ended with prayer;"[7] and it is probable that the practice was the same in the other Colonies. Military movements were enlivened by no other music than that of the drum.

1631. April 12.
1632. Nov. 7.
1637. Nov. 29.

In the year after the confederation, Massachusetts had twenty-six train-bands, and there had been "of late a very gallant horse-troop listed."[8] The bands were dis-

[1] Plym. Rec., II. 65.

[2] "Ten foot in length, at least, in the wood." (Conn. Rec., I. 74.) The same description answers to the pike of Cromwell's soldiers in 1650, as I learn from Elton's "Complete Body of the Art Military," which professes to

"explain
What Germany, Italy, Netherlands, or Spain
Can render us;"

and the book may be safely taken as a description of what the English arms, drill, and manœuvres had been in the next preceding generation, with some improvements.

[3] Mass. Rec., III. 268.

[4] Ibid., I. 85.

[5] Ibid., 90, 102, 124.

[6] Ibid., 210; comp. Conn. Rec., I. 4 (597).

[7] Plym. Rec., II. 61.

[8] Johnson, Wonder-Working Providence, 190. — The author (then a captain) gives a list of the commissioned

tributed into regiments; a Lieutenant, and under him a Sergeant-Major, commanded the militia of each county;[1] and over the whole force of the Colony was a Sergeant-Major-General, subordinate only to the Governor, who was Commander-in-Chief.[2] For the present there was no appearance that field-artillery would be of service, and none was provided, except for the practice of the incorporated Artillery Company.[3] Some heavy ordnance had been mounted at the entrance of the ports.[4] The work on Castle Island, in Boston harbor, which had fallen into decay, had been rebuilt at an expense of four thousand pounds, and regularly garrisoned.[5]

It has been seen that the colonists were at first hardly tasked to procure the mere means of subsistence. But anxieties of this kind had long ago passed away, when the confederation was made. They had "builded and planted

officers in Massachusetts in 1644, with eulogies of their several qualifications.

The honor of an office in the militia was much esteemed. John Hull, a thriving Boston merchant, chosen a corporal in 1648, praises God for giving him "acceptance and favor in the eyes of His people, and, as a fruit thereof, advancement above his deserts." (Diary, in Archæolog. Amer., III. 145.) When, six years later, he was promoted to be an ensign, he recorded his prayer, "beseeching that the good Lord, who only can, would please to make me able and fit for, and faithful in, the place I am called unto, that I may, with a spirit of wisdom and humility, love and faithfulness, obey my superiors, so also be exemplary and faithful to my inferiors." (Ibid., 147.)

[1] See Vol. I. 446, 617.

[2] Sept. 15, 1641, there was "a great training at Boston two days. About twelve hundred men were exercised in most sorts of land service. Yet it was observed that there was no man drunk, though there was plenty of wine and strong beer in the town, not an oath sworn, no quarrel, nor any hurt done." (Winthrop, II. 41.)

[3] Whitman, History of the Ancient and Honorable Artillery Company, 27. — Mounted troops could not be furnished except by the richer neighborhoods. The Plymouth people had no horses till they obtained them from the settlers in Massachusetts.

[4] Mass. Rec., I. 130.

[5] Hubbard (Chap. XLV.) says that the Colonists were then thinking of the Dutch, and of their exposure "to the invasion of a mean and contemptible enemy." But the reader of the present day does not forget that when Boston harbor was fortified, and intrusted "to Captain Davenport, a man approved for his faithfulness, courage, and skill" (Wonder-Working Providence, 194; comp. Mass Rec., II. 63), — and when the militia of Massachusetts were placed under the single command of a veteran of the Continental wars (Ibid., 66), — the strife had just become hot between the King and the Parliament of England.

to admiration for the time."[1] Industry had taken the forms which are common in a settled social state; and energy, capacity, and frugality had begun to bestow their liberal recompenses. Agriculture, though never a lucrative employment in the greater part of New England, obtained better returns, on the whole, when the country presented tracts of unbroken mould, the rich accumulation of ages, than it has done since cultivation has exhausted the superficial fertility; though the contrary is true wherever proximity to great markets has offered a compensation for the expense of elaborate tillage. To the invaluable maize, or Indian corn, — nutritious, hardy, and of a bountiful increase, — the planters soon reconciled themselves as a substitute for wheat, to which the soil and temperature were less propitious.[2] From the natives they adopted the use of fish for manure, a practice of the continuance of which at the present day a traveller in the "Old Colony" is advertised through two senses. The native grasses were found insufficient for the sustenance of cattle. Strangely enough, the best hay is said to have been obtained from the salt marshes;[3] but it took only a few seasons to cover the mowing lands with a rich growth of the herbage of England. Barley, rye, oats, and pease were successfully cultivated, and most of the garden fruits and vegetables common in the mother country. The squash, the pumpkin, and the sceva-bean were indigenous to the soil. The pear, the cherry, the plum, and the quince were found to take kindly to their new home. The apple-tree, set out in extensive orchards, soon produced a fruit far superior in size and flavor to what it had borne on English

Industry. Cultivation of the soil.

[1] Lechford, 47.

[2] Indian corn is at present the great agricultural product of the United States, exceeding in value the aggregate value of the three products of next importance. In 1850, the crop of Indian corn was estimated in the decennial census at $ 296,035,552; that of wheat at $ 100,485,944; of cotton at $ 98,608,720; of hay at $ 96,870,494. (De Bow, Statistical View, &c., 176.)

[3] Hutch. Hist., I. 424.

ground.[1] Poultry and swine, both of which repaid so bountifully their cheap supplies of food, multiplied in great abundance; and, as pasture land was extended and improved, goats in the first place, and then sheep,[2] horses, and neat cattle, became numerous.

It was to be expected that the manufacturing interest would be of slower growth. Thread and yarn were spun and knit by the women at their homes. Twenty families, who came from Yorkshire and began the settlement of the little town of Rowley, introduced the weaving of woollen and cotton fabrics. "They were the first people that set upon making of cloth in the Western world, for which end they built a fulling-mill and caused their little ones to be very diligent in spinning cotton, many of them having been clothiers in England."[3] After a little time, "the manufacture of linen, woollen, and cotton cloth" in Massachusetts became so remunerative, that several acts of the General Court designed to stimulate it were repealed.[4] A stock company was chartered for the smelting of iron, with a monopoly for twenty-one years;[5] but the enterprise was premature, and for the time proved abortive. A manufacture of salt was favored by the simplicity of the process and the constant necessity for

Manufactures. 1638.

1641. June 2.

1644. March 7.

[1] I recollect no mention of peaches in the early times. But Danforth raised apricots in 1646. (Winthrop, II. 332, note.)

[2] Johnson, in the description of the industry and prosperity of Massachusetts ("Wonder-Working Providence," Book II. Chap. XXI.), has been supposed to be speaking of the year 1642, the *Election* of which year he mentions a little before. But I am persuaded that by "this day" he means the time when he was writing, not long before the year 1652, to which time his History is brought down. The author of "New England's First Fruits" puts the number of sheep in 1642 at a thousand, while Johnson says, that, at the time of which he was writing, there were three thousand. The description, in the "First Fruits," of the resources and condition of the people in 1642, is of the highest interest.

[3] Johnson, Wonder-Working Providence, 130; comp. Winthrop, II. 31, 119.

[4] Mass. Rec., I. 294, 303, 320, 322.

[5] Ibid., II. 61; comp. I. 327, II. 11.

the product. A person who professed to have found a new method of producing this article, received a patent for the exclusive use of his invention for ten years.[1] Glass-works at Salem were assisted by a loan of thirty pounds to the projectors.[2] Bounties were offered, and other legislative measures taken, for the manufacture of saltpetre and of gunpowder,[3] and for the mining of "coals or iron stone;"[4] but it does not appear that the latter undertaking had any success. The wants of the new community afforded ample employment to the trades of the brickmaker, the mason, the carpenter, the tanner, the currier, the cordwainer, the sawyer, the smith, and the miller. In the third year after Winthrop's arrival, water-mills were erected in Plymouth and in Massachusetts.[5] Windmills were in earlier use.[6]

1641. June 2.

The woods were a source of wealth. Boards, clapboards, shingles, staves and hoops for barrels, and, at a later period, masts, all of which cost nothing but labor, and commanded a ready sale, were shaped and laid up in the winter season for the basis of a profitable trade in the coming months. The pine-forests offered an inexhaustible supply of turpentine, pitch, and tar. Furs and peltry, obtained from the natives by barter for provisions and for foreign manufactured articles, were another rich resource for the export trade.

Products of the woods.

The fishery was counted upon, from the beginning, as an important means of support and of gain. When, on the arrival of the Plymouth people in Massachusetts Bay, they proposed at first to seat themselves at Cold Harbor, it was with a view to advantages for taking the whale and the cod; and if their plans, made in

Fisheries.

[1] Mass. Rec., I. 331.
[2] Ibid., 344.
[3] Ibid., I. 260, 263, II. 17, 29, 30.
[4] Ibid., I. 206.
[5] Plym. Rec., I. 8, 22; Mass. Hist. Col., IX. 164; Winthrop, I. 116.
[6] "The windmill was brought down to Boston (1632) because, where it stood near Newtown, it would not grind but with a westerly wind." (Ibid., 87.)

England, had been carried out, one of their vessels would have remained with them for that service. In the third year after their arrival, their single boat was the chief resource of the little colony against starvation. "It helped them to improve the net, wherewith they took a multitude of bass, which was their livelihood all that summer."[1] In the fifth year, they exported to England a ship-load of fish, cured with salt of their own making;[2] and, in two years more, they were trading in that commodity with the Dutch on Hudson's River.[3] Along the seaboard of New England, as fast as it was occupied, this form of industry became a main reliance of the settlers. How profitable it was, may be inferred from the statement that a hogshead of mackerel would sell for three pounds twelve shillings, and that three men in a boat could catch ten hogsheads in a week.[4] Massachusetts instituted a *Protective System* for it, by enacting that all vessels and other property employed in "taking, making, and transporting of fish," should be exempt from duties and public taxes for seven years; and that all fishermen, during the season of their business, should be dispensed from military duty.[5] In the second year before the confederation, the mariners of that Colony "followed the fishing so well, that there was above three hundred thousand dry fish sent to the market."[6]

1625.

1639.

1641.

Fishing led to ship-building. The year after Winthrop's arrival, to help in obtaining supplies of corn from the Indians, he built on Mystic River a bark of thirty tons' burden, which he named the *Blessing of the Bay*.[7] The next year a vessel of a hundred tons, and a year later another of twice that size, were

Ship-building.

1631.

[1] Hubbard, 80.
[2] Bradford, 202.
[3] See Vol. I. 226.
[4] Winthrop, I. 308.
[5] Mass. Rec., I. 257, 258.
[6] Winthrop, II. 42.
[7] Ibid., I. 57, 60.

launched on the same river, at the plantation of Mr. Cradock.[1] The *Desire*, of a hundred and twenty tons' burden, was a great triumph of the mechanics of Marblehead.[2] All former enterprises of the kind were outdone when Hugh Peter "procured some to join for building a ship at Salem of three hundred tons. The inhabitants of Boston, stirred up by his example, set upon the building another at Boston of a hundred and fifty tons."[3] The people of Massachusetts now had "good store of barks, ketches, lighters, shallops, and other vessels."[4] In one summer, "five ships more were built, three at Boston, one at Dorchester, and one at Salem;"[5] and in the same year the intelligence went from Boston: "Besides many boats, shallops, hoys, lighters, pinnaces, we are in a way of building ships of a hundred, two hundred, three hundred, four hundred tons. Five of them are already at sea; many more in hand at this present; we being much encouraged herein by reason of the plenty and excellence of our timber for that purpose, and seeing all the materials will be had there in short time."[6] Surveyors of shipping had now been appointed.[7] The comparative poverty of Plymouth kept her behindhand in such operations. Her first vessel, fit to navigate the ocean, measured forty or fifty tons. It was built at an expense of two hundred pounds, divided among thirteen owners.[8]

1636. 1640. 1642. 1641.

Commerce.

In the second year of Boston, a cargo of fish and furs, despatched thence to Virginia, opened a commerce with the southern Colony.[9] Foreign trade followed in due time. In the sixth year, one of Mr. Cradock's vessels "came from Bermuda

1636.

[1] Wood, New England's Prospect, 34.
[2] Winthrop, I. 193.
[3] Ibid., II. 24.
[4] Lechford, 47.
[5] Winthrop, II. 65.
[6] New England's First Fruits, 22.
[7] Mass. Rec., I. 337.
[8] Plym. Rec., II. 31.
[9] Winthrop, II. 92, 101.

with thirty thousand weight of potatoes, and store of oranges and limes."[1] Then cotton was introduced from the West Indies.[2] Ships built in Massachusetts carried "many passengers and great store of beaver" to London, being followed on their way by "many prayers of the churches." A step still in advance was taken when a Boston vessel brought wines, fruit, sugar, and ginger from Teneriffe, in exchange for corn; and another yet, when "the *Trial*, the first ship built in Boston, being about a hundred and sixty tons, Mr. Thomas Graves, an able and a godly man, master of her," carried a freight of fish to Bilboa, and came home from Malaga "laden with wine, fruit, oil, iron, and wool, which was of great advantage to the country, and gave encouragement to trade."[3]

1643. December.

1644. March.

Trade was embarrassed for a time by the insufficient supply of a circulating medium. Of the coin which the settlers brought over, a large part speedily disappeared, being sent back to England in payment for necessary supplies.[4] The first traffic with the natives was in the way of barter, to which, more or less, the use of wampum succeeded. Indian corn and beaver-skins were in primitive use as money; and the former, at the market price, was in Massachusetts made a legal tender, when there was not an express stipulation to pay coin or beaver.[5] Corn and other produce, at fixed rates, were received in payment of the public taxes.[6] When it was ordered that bullets should take the place of farthings, as a legal tender of the same value, it was at a juncture considered to require the keeping of a good supply of bullets in the country.[7]

Circulating medium.

1635.

[1] Winthrop, I. 182.

[2] Ibid., II. 31, 119; comp. Conn. Rec., I. 59.

[3] Winthrop, 150, 151, 154; comp. Wonder-Working Providence, Book II. Chap. VI.

[4] "Now [1640] our money was gone." (Winthrop, II. 24; comp. Albro, Life of Shepard, 235.)

[5] Mass. Rec., I. 92.

[6] Ibid., 140.

[7] Ibid., 137.

The means of communication between the settlements grew up as fast as, under the circumstances, was to be expected; but that was not very fast. To make roads, the obstacles of forest, hill, hollow, and marsh were to be overcome upon the land, and those of channel and rapid upon the water; and such operations required time and money.[1] Ferries were early established, and bridges must soon have been thrown over narrow streams.[2] When it was intended to make Newtown the capital of the Colony, a canal was cut to its upland through the marsh that borders the river.[3] Mother Brook, which connects the Charles with the Neponset, is an artificial work executed by the town of Dedham.[4] There was a scheme for insulating Cape Ann by cutting through the isthmus which connects it with the mainland[5]; but it was abandoned.

Facilities for travel.

1631. June.

1639.

March.

The primitive architecture of public buildings was altogether unambitious.[6] The taste for comfortable dwellings

[1] Endicott excused himself in 1631 from a visit to Winthrop, "my body," said he, "being in ill condition to wade or take cold." (Hutchinson's Collections, &c., 50.) At the present time, the traveller easily goes from Salem to Boston in three quarters of an hour, without discomposing his dress. — Winthrop, having lived two years in Boston, projected an expedition to the capital of the sister Colony of Plymouth, and prosperously reached that place after two days' travel, having been conveyed over the fords of streams on the shoulders of Indians. (See Vol. I. 335, 336.) — In 1639, a continuous line of road was laid out along the coast of Massachusetts, from Newbury on the Merrimack to Hingham, the southeastern limit. (Mass. Rec., I. 280.)

[2] Ibid., 81, 87, 88, 241, 275. — A general law of Massachusetts passed in 1648 (Ibid., II. 228) indicates that bridges were then numerous: "The Court, considering the great peril which men, horses, teams, and other cattle are exposed to by reason of defective bridges and highways," made towns liable to a fine of £ 100 for every life lost by such defect, and to equitable damages for less injuries.

[3] Ibid., I. 88.

[4] Haven, Historical Address, &c., 56.

[5] Mass. Rec. I. 253.

[6] That of the meeting-house of Dedham, the first or second inland town of Massachusetts, may serve as an example. It was erected in the eighth year after the arrival of Winthrop's company. It was thirty-six feet long; twenty feet wide; and twelve feet high "in the stud"; and the roof was thatched with long grass. When it was nineteen years old, and there

which the settlers brought with them — so intimately associated with the English feeling for home — they appear to have allowed themselves early to gratify in full proportion to their means. Coddington had built a brick house in Boston, before he went thence to found his colony.[1] The New-Haven people were thought to have "laid out too much of their stocks and estates in building of fair and stately houses;"[2] and Isaac Allerton, who went among them from Plymouth, "built a grand house on the creek, with four porches."[3] The Reverend Mr. Whitefield's house at Guilford,[4] part of the

Architecture.

were a hundred and sixty families of worshippers, the town voted to "have the meeting-house lathed upon the inside, and so daubed and whited over, workmanlike." (Lamson, Sermon preached October 31, 1858, &c., 32.) A meeting-house, built according to the approved model of the second age of New England, when a more fastidious taste had been developed, had a roof of pyramidal form, crowned with a belfry. Accordingly the bell-rope hung down to the centre of the floor, and the sexton stood halfway between the principal door and the pulpit to do his office of summoning the people together. As far as I know, the only meeting-house on this model that survives is that of Hingham, built in 1681. Another, which stood long within my recollection, was that of the First Church in Boston, occupying the spot in Washington Street (then *Cornhill*) where now stands *Joy's Building*.

[1] See Vol. I. 328, note 4.

[2] Hubbard, 334.

[3] Stiles, History of Three of the Judges, 65.

[4] Whitefield's house was built in 1639. I suppose there is no doubt that it is the oldest house in the United States, now standing as originally built, unless there be older at St. Augustine in Florida. By the kindness of my friend, Mr. Ralph D. Smith, of Guilford, a gentleman thoroughly versed in the local antiquities, I have been furnished with the following plans of it.

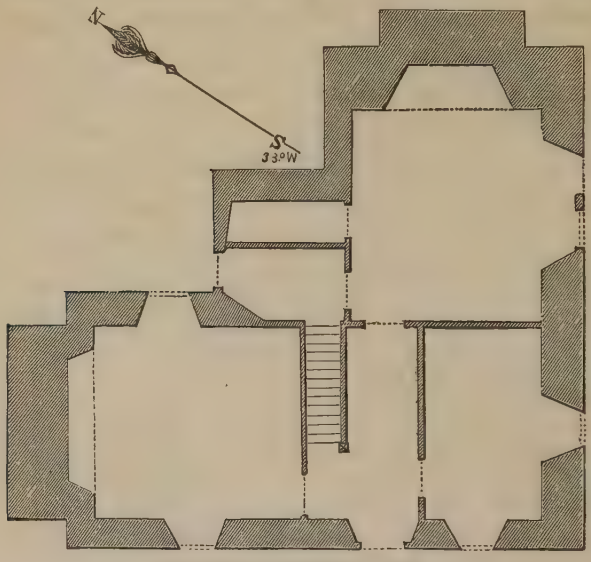
Whitefield's House, as seen from the west.

Whitefield's House, as seen from the south.

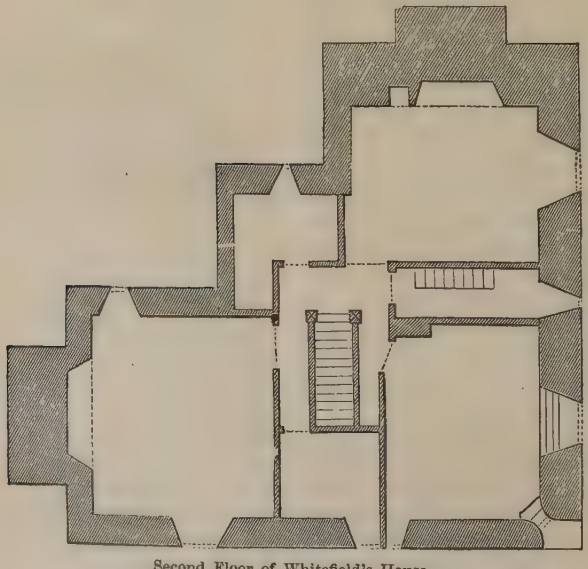
The walls are of stone, from a ledge eighty rods distant to the east. It was probably brought on hand-barrows, across a swamp, over a rude causey, which is still to be traced. A small addition, not here represented, has in modern times been made to the back of the house, but there is no question that the main building remains in its original state, even to the oak of the beams, floors, doors, and window-sashes. The

merchant Curwin's, at Salem, and others which it is not so certain were built before the confederation, still remain

following representations of the interior exhibit accurately the dimensions of the rooms, windows, and doors, the thickness of the walls, &c., on a scale of ten feet to the inch. The single dotted lines represent fire-places and



First Floor of Whitefield's House.



Second Floor of Whitefield's House.

to attest the resources and taste of their proprietors. Nor were the furniture and other appointments of rich

doors. The double dotted lines represent windows. In the recesses of the windows are broad seats. Within the memory of some of the residents of the town, the panes of glass were of diamond shape.

The height of the first story is seven feet and two thirds. The height of the second is six feet and three quarters. At the southerly corner in the second story there was originally an embrasure, about a foot wide, with a stone flooring, which remains. The exterior walls are now closed up, but not the walls within.

The walls of the front and back of

Attic of Whitefield's House.

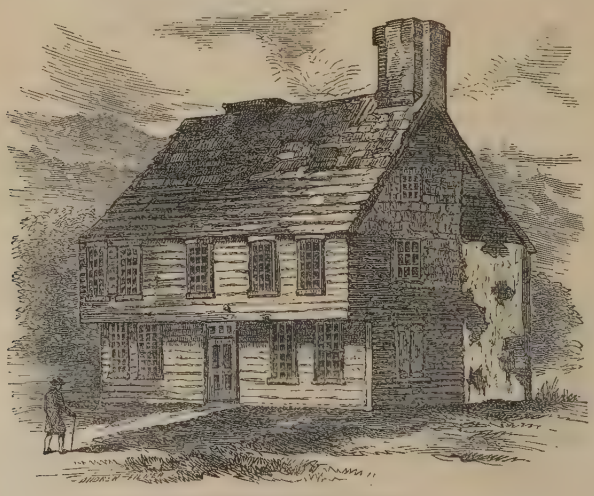
the house terminate at the floor of the attic, and the rafters lie upon them. The angle of the roof is 60°, making the base and sides equal. At the end of the wing, by the chimney, is a recess, which must have been intended as a place of concealment. The interior wall has the appearance of touching the chimney, like the wall at the northwest end. But the removal of a board discovers two closets which project beyond the lower part of the building.

I learn from Mr. Smith that at least three other stone houses were built at the first settlement of Guilford.

Whitefield was a man of good property; but it may be doubted whether his house is a specimen of the best that were erected at an early period. When Gorton and his company were conducted to Boston, in 1643, "the Governor [Winthrop] caused the prisoners to be brought before him in his hall, where was a great assembly." (Winthrop, II. 142.) Gov. Coddington's house in Newport, believed to have been built about the year 1650, was standing till 1835. From a sketch made of it in that year, a photographic representation was taken, of which

men's convenient dwellings deficient in a corresponding luxury. To the marriage settlement of John Winthrop the elder, when he wedded a third time, there is attached an inventory of the property of his bride, which indicates a somewhat sumptuous domestic establishment. At Governor Eaton's death, when money was worth three times

the following is a copy. The projection of the second story over the lower will remind those who have visited England of old houses which they have seen there. Buildings of this description still remain in Holborn and other parts of London. The form of construction was adopted the more readily in New England, on account of its convenience for fortification against the natives.



Coddington's House at Newport.

But houses of such pretension as these belonged only to the richer sort. The dwellings of the generality of the people were not of materials sufficiently durable to admit of their being known at this day through actual specimens. At the very earliest period, it was necessary for the great body of the emigrants to be content with any sort of shelter from the weather. After a while, when saw-mills furnished timber and boards, and shipments of salable articles brought plenty of iron from abroad, the villages began to consist of frame-houses. In the interval between these two periods, the settlers, it is probable, made themselves comfortable in *log-houses*, of a construction similar to those which are still seen in new settlements, wherever made in the United States. Josselyn says (Account of Two Voyages, &c., 20) that there were "not above twenty or thirty houses" at Boston, at the time of his visit in 1638. He was not an accurate witness, but he could not possibly have intended to say that Boston had only thirty dwellings at that time. By "houses" he must have meant such as had timber frames, or walls of stone or brick. Johnson (Wonder-Working Providence, 174), in or about 1650,

as much as now, his wearing-apparel was inventoried at fifty pounds sterling, and his plate at a hundred and fifty pounds; and "Turkey carpet," "tapestry coverings," and "cushions of Turkey work," were among the articles of show which helped him to maintain "a port in some measure answerable to his place."[1]

speaks of the Lord's having "been pleased to turn all the wigwams, huts, and hovels the English dwelt in, at their first coming, into orderly, fair, and well-built houses." In 1621, a storm at Plymouth "caused much *daubing* of the houses to fall down" (Mourt's Journal, 30), by which I suppose is to be understood the earth used to close the chinks between the logs, which, laid one upon another, made the walls. Tall grass, gathered along the beaches, was largely used for the thatching of roofs. (Mass. Rec., III. 181.) For chimneys, bricks were made at Salem so early as the year before the arrival of Winthrop's company. (Higginson, New-England Plantation.)

The following copy, from a drawing in Indian ink by Washington Allston, will convey a substantially correct idea of what was probably the home of a

House of an Early Settler.

majority of the New-England colonists for a considerable period, beginning soon after their arrival.

[1] Mass. Rec., II. 233. Bacon, Hist. Disc., 355. — Fenwick, disposing in his will of his "furniture and household stuff," gave to his wife two suits of hangings, one of Cæsar, the other of Diana, "a green embroidered bed," &c.; to his daughter Elizabeth, "the suit of landscape hangings;" and to his daughter Dorothy, "that of Su-

Dress.

The dress of the generality of the people must needs have been plain.[1] They could have had no superfluity of offerings to lay on the altar of the pride of life. But such laws as have been referred to, aimed in almost the earliest times against "the ordinary wearing of silver, gold, and silk laces," and against the wearing at all of "embroidered and needle-work caps," "gold and silver girdles," "immoderate great sleeves," and "slashed apparel,"[2] point unequivocally to one form

sanna." (Conn. Rec., I. 574, 575.) — Such household luxury, however, must have been far enough from being common, or from being known to many who were esteemed decent livers, — at least, near to the beginning of things. Most articles of table furniture were made of pewter. Governor Bradford left, of that material, fourteen dishes, thirteen platters, three large and two small plates, a candlestick, and a bottle. He had "four large silver spoons," and nine of smaller size. Peter Palfrey, one of the three "honest and prudent men" who were with Conant at Salem in 1627, and afterwards a Deputy in the General Court and otherwise employed by the public, was a man of comfortable substance, though not of the *quality* of the time. In his testamentary distribution of his property, in 1662, he gave to his daughter Mary, besides a bequest in money, "two pewter platters and likewise an iron pot," — a little fact which may indicate the value then set upon serviceable domestic utensils; unless it were that to these homely articles — the former of which were inscribed with the letters "M. P." — was attached in the testator's mind some adventitious value, due to some special association of interesting domestic experience.

In the early inventories of furniture no forks appear. They were hardly known in England before 1650. As a fact correlative to this, there was a great affluence of napkins. E. Howes wrote to Winthrop, in 1633, that he had sent him a case, containing "an Irish skeyne or knife," two or three delicate tools, "and a fork." (Mass. Hist. Coll., XXIX. 255.) Silver forks scarcely appeared in Boston till after the war of 1812, except on the tables of two or three gentlemen who had been in the diplomatic service of the country.

As to the personal effects of the Plymouth people, we have plenty of information in palpable shape, could we only be sure of its authenticity. But the articles of household gear purporting to have come over in the Mayflower alone are so numerous, that one doubts whether they would not have filled the moderate capacity of that highly-fated vessel, — cabin, hold, steerage, forecastle, and deck, — without leaving the sparest accommodation for any of those venerable forms that have made her winter voyage so famous.

[1] "1; Linnen fustian dimittees we are making already. 2; sheep are coming on for woollen cloth. 3; in mean time, we may be supplied by way of trade to other parts. 4; cordevant, deer, seal, and moose skins ..... are there to be had plentifully, which will help this way, especially for servants' clothing." (New-England's First Fruits, 24.)

[2] See Vol. I. 552. — Ward, the au-

of the indulgence of the taste and ambition of that period.[1]

In the early days of New England, wheaten bread was not so uncommon as it afterwards became; but its place was largely supplied by preparations of Indian corn. A mixture of two parts of the meal of this grain with one part of rye has continued, until far into the present century, to furnish the bread of the great body of the people. In the beginning, there was but a sparing consumption of butcher's meat. The multiplication of flocks, for their wool, and of herds for draught and for milk, was an important care, and they generally bore a high money value. Game and fish to a considerable extent supplied the want of animal food. Diet.

thor of the Body of Liberties, attacks the female foppery which met his eye, in his characteristic manner: "It is known more then enough, that I am neither nigard, nor cinick, to the due bravery of the true Gentry: . . . . . I honour the woman that can honour herselfe with her attire: a good Text alwayes deserves a fair margent: I am not much offended if I see a trimme, far trimmer than she that wears it: in a word, whatever Christianity or Civility will allow, I can afford with *London* measure: but when I heare a nugiperous Gentledame inquire what dresse the Queen is in this week: what the nudiustertian fashion of the court; I meane the very newest: with egge to be in it in all haste, whatever it be; I look at her as the very gizzard of a trifle, the product of a quarter of a cipher, the epitome of nothing, fitter to be kickt, if shee were of a kickable substance, than either honour'd or humour'd. To speak moderately, I truly confesse, it is beyond the ken of my understanding to conceive how those women should have any true grace, or valuable vertue, that have so little wit as to disfigure themselves with such exotick garbes, as not only dismantles their native lovely lustre, but transclouts them into gant bar-geese, ill-shapen-shotten-shell-fish, Egyptian Hyeroglyphicks, or at the best into French flurts of the pastery, which a proper English woman should scorne with her heels: it is no marvell they weare drailes on the hinder part of their heads, having nothing as it seems in the fore part, but a few Squirrils brains to help them frisk from one ill-favored fashion to another." (Simple Cobler of Aggawam, 26, 27.) There is much more to the same purpose.

[1] Even the streets of humble Plymouth, in 1638, witnessed the splendor of a pedestrian in "red silk stockings." (Plym. Rec., I. 93.) This bravery, however, attracted notice as something extraordinary, and led to an investigation, in the sequel of which it appeared that the gorgeous habiliments were stolen in Boston.

It is interesting to get a hint respecting Elder Brewster's costume. It seems he did not affect the clerical garb. In his inventory we read of "one blue cloth coat," "one violet-color cloth coat," and "one green waistcoat."

Next to these, swine and poultry — fowls, ducks, geese, and turkeys — were in common use earlier than other kinds of flesh-meat.[1] The New-Englander of the present time, who, in whatever rank of life, would be at a loss without his tea or coffee twice at least in every day, pities the hardship of his ancestors, who, almost universally, for a century and a half, made their morning and evening repast on boiled Indian meal and milk, or on porridge or broth made of pease or beans and flavored by being boiled with salted beef or pork.[2] Beer, however, which

[1] "Apples, pears, and quince tarts, instead of their former pumpkin-pies. Poultry they have plenty and great rarity, and in their feasts have not forgotten the English fashion of stirring up their appetites with variety of cooking their food." (Wonder-Working Providence, Book II. Chap. XXI.) — *Hasty-pudding*, consisting of the boiled meal of maize or rye, and eaten with molasses and butter or milk, was a common article of diet. *Succotash*, composed of beans boiled with Indian corn in the milk, was a dish adopted from the natives, as were other preparations of corn, named *samp* and *hominy*.

[2] Tea was scarcely in use before 1750, or coffee before 1770. A memorandum of the expenses, in 1745, of William Palfrey, my great-great-grandfather, contains entries of one pound eight shillings, and one pound ten shillings, paid for a pound of tea. I think it must have been for sickness; for, though in easy circumstances, he was frugal. — The old local customs of baked beans, baked Indian pudding, and newly-baked *rye and Indian* bread on Wednesday, after the washing and ironing agonies of Monday and Tuesday; of "salt-fish" regularly on Saturdays; and boiled Indian pudding (with roasted sirloin of beef, for those who could get it) on Sundays, — have somewhat faded out, but must be distinctly in the remembrance of many of my readers. These dishes are historical. The practice of successive generations has improved them; but *baked beans* point to the time when it was desirable to make the most of the commonest vegetable by flavoring it with the flesh of the commonest animal. Ground Indian corn, sweetened with molasses as soon as molasses began to come from the West Indies to Boston, was *Indian pudding* in its primitive condition. In my youth I used to hear it said, that all over the country, and all over the world, New-England men kept up the ancient custom of eating *salt-fish* (cod-fish) on Saturday; not on Friday, which would have been Popish. Forty years ago I was so situated as to know uncommonly well the habits of different classes of people in different parts of the country, and my observation accorded with this statement. Till a later period than this, the most ceremonious Boston feast was never set out on Saturday (then the common dinner-party day) without the dun-fish at one end of the table; abundance, variety, pomp of other things, but that unfailingly. It was a sort of New-England point of honor; and luxurious livers pleased themselves, over their nuts and wine, with the thought that, while suiting their palates, they had been doing their part in a wide combination to maintain the fisheries, and create a naval strength.

was brewed in families, was accounted a necessary of life; and the orchards soon yielded a bountiful provision of cider. Wine and rum found a ready market, as soon as they were brought from abroad; and tobacco and legislation had a long conflict, in which the latter at last gave way.

Some accessories of social intercourse, elsewhere thought to add to its attractiveness, were here abjured. The sad experience of his native country had taught the fugitive Puritan a lesson which in its main import he laid religiously to heart, if he misconceived or exaggerated it in some particulars. All persons were forbidden so much as to possess cards, dice, or other instruments of gaming.[1] Dancing was prohibited, not only as inconsistent with dignity of character, but because it was thought to be attended with provocatives to licentiousness.[2] The absence of instruments of music from the inventories must be taken to indicate, either that the art was not much relished, or that the practice of it was not approved.

Amusements.

The application of both official and conventional titles was a matter of careful observance. Only a small number of persons of the best condition had the designation *Mr.* or *Mrs.* prefixed to their names; this respect was always shown to ministers and their wives. Most of the Deputies are designated in the records by their names only, without a prefix, unless they were officers of the church or of the militia; in the latter case they received their appropriate title, through all the ranks from General to Corporal. *Goodman* and *Goodwife* were the appropriate addresses of persons above the condition of servitude and below that of gentility.

Titles.

The language written and spoken by the early colonists could be no other than the form of speech which they had been accustomed to hear and use;

Speech.

[1] Conn. Rec., I. 289, 527; Mass. Rec., I. 84. [2] Mass. Rec., I. 233.

and that was the common English of the realm, with such provincial peculiarities as belonged to the locality of their English homes, and with the distinctive phraseology of their religious sect. In recent times, collections have been made of words and phrases called *Americanisms*, and to many of them has been ascribed a New-England origin. Without doubt that representation is correct; for always and everywhere language is changing, and especially do the new circumstances of various kinds — the new objects, devices, and experiences — of a new country, produce a multiplication of new forms of speech. But as to many forms which have been supposed to be of New-England invention, because, when the comparison came to be made, they were not current in the mother country, it is certain that at the time of the emigration they belonged to the staple of the English tongue, and have simply been preserved in New England, while they have gone into disuse on the other side of the water.[1] The vocal utterance of the New-Englander of the present day is criticised for an ungraceful nasal peculiarity. Probably this is one of his Puritan heirlooms. Perhaps it is an effect of climate.

[1] The reader will find curious facts relating to this question, if he will compare Pickering's Vocabulary or Bartlett's Americanisms with Beattie's Scotticisms or Jamieson's Scotch Dictionary, and Forby's Vocabulary of East Anglia. From the *East-Anglian* counties numbers of the emigrants came. The cause of the coincidences between Nov-Anglicisms and Scotticisms is not so manifest; but the Lowland dialect of North Britain always bore much resemblance to that of the North of England.

To fix, in the sense of *to arrange* or *put in order*, has been one of the most undisputed Yankeeisms. But Bradford put the word to that use when he still spoke only his native Nottinghamshire dialect. See Vol. I. 171.

Mr. George P. Marsh, in his lecture on "The English Language in America" (Lectures on the English Language, 666 *et seq.*), has treated this subject in a manner worthy of his distinguished ability and erudition.

CHAPTER II.

When the Four Colonies of New England made their confederation, a few months only had passed since the breaking out of the war between Charles the First and his long-suffering subjects. It continued to be waged without important success on either side, till the second invasion from the North turned the tide against the King.[1] Marching from Dunbar through snow up to their knees,[2] the Scots crossed the Tweed and entered England on the second day. The Marquis of Newcastle, the King's general, with an army fourteen thousand strong, retreated slowly before them, till, having been joined by Parliamentary forces under Manchester, Fairfax, and Cromwell, they shut him up in York, with a garrison of six thousand troops. The city appeared to be reduced to extremity, when Prince Rupert, having overrun the western shires, arrived with twenty thousand men for its relief. The Parliamentary generals raised the siege, and advanced to meet him as far as Long-Marston-Moor, four miles distant. The Prince manœuvred so as to pass them, crossed the river Ouse, and threw himself into York.

1644. Jan. 19.

May.

July 1.

Unfortunately for him, he was not satisfied with this success. In contempt of the better judgment of Newcastle,[3] he insisted on following it up with an attack on the

[1] See Vol. I. 579.

[2] Rushworth, V. 603.

[3] Lingard thinks that the course taken by Rupert was required by the King's orders. (History, X. 251, 252; comp. Evelyn's Memoirs, II. App., 89; Warburton, Memoirs of Prince Rupert and the Cavaliers, II. 435, 445, 452.) But, on the other hand, see Guizot's English Revolution (II. 47), or Sandford's Studies and Illustrations of the Great Rebellion, &c. (591).

rebel force. The battle was fought from seven till ten o'clock in the bright twilight of a midsummer evening. About twenty-five thousand men were engaged on each side. The right wing of the Royalists, commanded by Rupert, was driven off the field by Cromwell's cavalry. The left wing, under Goring and Lucas, was on the point of being successful against Fairfax and Lambert, when Cromwell, returning from his pursuit of the Prince, fell upon it and threw it into irreparable disorder. More than three thousand royalists killed, fifteen hundred made prisoners, and all the artillery taken, were the fruits of this battle, the bloodiest of the war. York presently surrendered, and Prince Rupert, with the remains of his army, moved rapidly to the West, to obtain new enlistments. The Marquis of Newcastle, disgusted by that inattention to his warnings which had occasioned the great calamity, withdrew to the Continent, where he lived for the next sixteen years. In the autumn the Scots took the town of Newcastle by storm, and the whole North Country was lost to the King.

Fight of Marston-Moor. July 2.

October.

In the South he had better success. Eluding the two armies of Lord Essex and Sir William Waller, which had nearly enclosed him at Oxford, he moved northwestwardly towards Worcester. He beat Waller, who had followed him, and then, in his turn, pursued Essex into Cornwall. There, having been joined by forces under his nephew, Maurice, and Sir Richard Granville, he compelled the Parliamentary infantry and artillery to capitulate, on the condition of being dismissed without their arms, ammunition, and baggage. The horse, taking advantage of a thick mist, escaped. Essex, with some of his officers, reached Plymouth by sea. His honor was untouched. The Parliament understood the difficulties which had proved too great for him, and, from a sense of justice or from policy, sent him a vote of thanks.

Successes of the King in the South.

Lord Manchester, with Cromwell for his lieutenant, was ordered from the North, to form a junction with Waller, and renew the struggle. They met and fought the King at Newbury, the scene, thirteen months before, of an indecisive engagement. Now he had decidedly the worst, and it was said that nothing but the approach of night prevented his total overthrow. Having obtained reinforcements from Oxford, he advanced again. Manchester, though his forces were still superior, refused to accept another battle, to the great displeasure of Cromwell; and the armies went into winter quarters.

Second battle of Newbury. Oct. 27.

The transactions of the winter were momentous. A fruitless negotiation for peace exasperated the existing animosities; and the army of the Parliament was placed upon a new footing. The former of these proceedings involved the dispute between the Anglican Church and the Presbyterians; the latter, the dispute between the Presbyterians and the Independents. To understand the position in which affairs now stood, it is necessary to attend to some events of an earlier date.

Transactions of the winter of 1644-45.

The ecclesiastical constitution established in England on the reformation from Popery in the sixteenth century, is familiarly known to readers of English history, and has been sufficiently indicated in this work. On the Continent, the reformed churches of the German States, of Denmark, and of Sweden, adopted the polity of Luther, while in those of the Low Countries, of France, and of Switzerland, the institutions of Calvin were set up. Of the two, the Lutheran system recognized a closer union of the Church with the State. Like the Anglican, it asserted the supremacy of the sovereign in ecclesiastical affairs. He exercised this branch of his power through tribunals of his own appointment, known by the name of *Consistories;* and among the clergy there

Lutheran church polity.

was a diversity of ranks, and a sort of episcopate, though the name of *bishop* was avoided.[1]

The regimen of Calvin, though it did not make the churches independent of the government, assigned to them a larger province in their own administration. It acquired an establishment at Geneva, when its author, seeking a better sphere for his activity than his native land afforded, made himself a sort of autocrat in that city, and won for it the name of the Metropolis of Reform. According to this scheme, — which claimed the support of the letter of the New Testament, — all *Presbyters*, or *Elders*, are equal in rank and authority and competent alike to all sacred functions, and the officers of each congregation control its members in spiritual things; but each congregation is also a part, and subject to the government, of the aggregate national Church. To administer this general government, Calvin established what he called a *Consistory*,[2] composed of laymen and ecclesiastics, who were appointed from year to year, the former being the greater number. And this body, in its turn, was subject to the supervision of the Council of Two Hundred which governed the little republic. No greater elaboration was required for the convenient action of the system within so small a sphere.

1541. Presbyterian church polity of Calvin.

When Calvin revived the Augustinian doctrine, exhibiting it with a sharper distinctness than its ancient champion had attained, and maintaining it with a more subtile logic, the welcome which was widely extended to his dogmatic theory among the reformed churches naturally recommended his scheme of Church polity to the favor of those great men of other countries who

[1] Mosheim, Ecclesiastical History, Part II. Chap. II. §§ 12, 32.

[2] Calvin, Institutiones Christianæ, Lib. IV. Capp. III., IV.; Henri Martin, Histoire de France, VIII. 191, 323; Dyer, Life of John Calvin, 121; Mignet, Mémoires Historiques, 360.

owned him as the master of their minds. Accordingly when the Scotchman, John Knox, formerly chaplain to King Edward the Sixth, went home from a second visit to Geneva, it was with the Presbyterian model in his mind as the perfection of church rule, but as at the same time requiring extension and refinement in order to its complete adaptation to a larger society. Many things were to be brought to pass in Scotland before the work of ecclesiastical reconstruction could be done. It was formally attempted in the year after Knox's return; but the selfishness of the Reformed nobles effectually obstructed it, and it languished during his life.[1]

1559. May.

Presbytery in Scotland.

1560. August.

It was accomplished under the auspices of his scarcely less able successor, Andrew Melville. According to the Second Book of Discipline, which became the ecclesiastical law of the land, the minister of a single congregation is the highest church officer; with him ruling elders ought to be associated; and these officers together constitute a parochial court, called the *Church Session*. A small number of neighboring congregations are united in a *Presbytery*, in which they act by representatives; several neighboring Presbyteries in like manner are convened in a *Synod*, or Provincial Assembly; and the ultimate authority over all resides in a national convention of the Church, called the *General Assembly*,[2] in which, as in all the inferior councils, lay members sit, as well as clergymen. Two years after the General Assembly was thus invested with supreme ecclesiastical power, it abolished the office of Bishop by a unanimous vote. The controversy was not over; but to follow it does not belong to the purposes of this work. The result of an attempt of King Charles to revive episcopacy in his Northern kingdom has

1578.

1580.

[1] McCrie, Life of Knox, 228, 346 *et seq.*

[2] McCrie, Life of Melville, 167–171.

been brought to the reader's notice.[1] Presbytery was the form which Puritanism had chosen to wear in Scotland. Endeared by the approval and the services of a venerated clergy, and by the experience or the history of heroic sacrifices in its cause, it had taken the strongest hold of the national mind and heart.

Presbytery in England. Thomas Cartwright.

Perhaps it was from the expositions of Calvin, perhaps from an independent study of the Bible, that Thomas Cartwright, commonly accounted the first English Presbyterian, derived his convictions on the subject of Church government.[2] With signal ability and learning, he argued in published works the equality, or rather the unity, of orders in the priesthood, drawing his arguments from Scripture and from the history of the Church. And he must have been encouraged and delighted by the work which went on before his eyes in the sister kingdom.[3] But it is only with some qualification that Cartwright may be called the founder of Presbytery in England. Being what it was in his conception, it could not be founded in his time. Separatism, or the beginning of a religious revolution by isolated or popular movements, made no part of his method. As much as Archbishop Cranmer or any other primate of England, Cartwright aimed at a dominant, intolerant religion, established by the law and armed with its powers. This, he held, ought to be, not Episcopal, but Presbyterian, or else the dictates of God's word would be disobeyed, and the rightful claims of England and of the age denied. And such a revolution Cartwright was too early to make progress with; for he died in the same year as Queen Elizabeth.

His theory, however, was not altogether inoperative, even in his own time. Some of his disciples proceeded to

[1] See Vol. I. 565.

[2] Ibid., 119, 120.

[3] He was charged with having written some part of the Scottish Second Book of Discipline. (Marsden, Early Puritans, 178.)

reduce it to practice on a scale proportioned to the means which already they could command. In the year in which Cartwright first attracted attention by his public advocacy of the Presbyterian scheme,[1] a Presbytery is said to have been instituted in the county of Surrey.[2] Ten years later, there was a meeting of sixty non-conformist ministers of the East of England, believed to have been Presbyterians. But their conference was strictly private, and its subjects and results are unknown. In the same year, at a "solemn council," held at Cambridge or at London, — with such caution were the proceedings conducted, that the place is matter of uncertainty, — a "Platform of Discipline" was adopted,[3] with a view probably to definite and united action when the state of things in Parliament should encourage an attempt. The accession of Whitgift to the Archbishopric of Canterbury, and his activity with his High-Commission Court,[4] now made matters critical; but the more demand there was for action, the more need also there was that it should be clandestine.[5] In the year of the defeat of the Armada, at a meeting of Presbyterians of Warwickshire, a "Book of Discipline" was adopted as "essen-

1572.

1582.

1583.

1588. April 10.

[1] Two Puritan ministers, named Field and Wilcox, had addressed to Parliament what they called "An Admonition for the Reformation of Church Discipline." An answer to this paper by Whitgift (assisted, it is said, by Archbishop Parker and others) called forth, in 1572, Cartwright's "Second Admonition to the Parliament," to which Whitgift also replied; and Cartwright rejoined. (Strype, Life of Whitgift, Book I. Chaps. IX. and X.; comp. Fuller, Church History of Britain, II. 504.)

[2] Fuller, II. 505. John Knox died in the same year.

[3] Ibid., III. 25, 26, 30–33.

[4] See Vol. I. 120, 121.

[5] "The certain place of their convening [the Presbyterian ministers] is not known, being clandestine, arbitrary, and changeable, as advised by their conveniences. They are better discovered by their moving then by their meeting, and their practices more conspicuous than their places. Some agents for them were all day at the door of the Parliament-house [for *lobbying* is no new or American invention], and some part of the night in the chambers of Parliament men, effectually soliciting their business with them." (Fuller, III. 73.)

tial and necessary for all times;" and it was resolved "that men of better understanding are to be allured privately to the present embracing of the discipline and practice of it, as far as they shall be well able with the peace of the Church." Presbyterianism, in its most earnest efforts for a reformed rule, never ceased to watch over the ecclesiastical unity. The seamless garment was to be cleansed, but by no means to be rent. A Scriptural purity and order were to be aimed at, but it must be without schism.

"Assemblies termed *Synods*" were now known to the government to be held in more than ten of the shires of England, and Cartwright was reputed to be the chief heresiarch. His committal to the Fleet prison by the High-Commission Court suggested to his old friend, the Archbishop, the policy of lenient treatment, which proved to be not without effect. "On Mr. Cartwright's general promise to be quiet," Whitgift caused him to be discharged, and "henceforward Mr. Cartwright became very peaceable."[1] He was getting old and discouraged. The time was not ripe for such men as he to assert their due place, and he was dissatisfied with the erratic course of some of his associates.[2] The effect of his retirement from public action was seconded by an occurrence of a different character. A conscientious Presbyterian, named Stone, having been

1590.

1591.

[1] Fuller, III. 101, 105–114.

[2] "Mr. Cartwright grew sensible, with sorrow, how all sects and schisms, being opposite to bishops (Brownists, Barrowists, &c.), did shroud and shelter themselves under his protection, whom he could neither reject with credit, nor receive with comfort, seeing his conscience could not close with their enormous opinions, and his counsel could not regulate their extravagant violences, which made him by degrees decline their party. Yet, for all this, there want not those who will maintain, that all this while Mr. Cartwright was not more remiss, but more reserved in his judgment; being still as sound, but not as sharp, in the cause, out of politic intents; like a skilful pilot in a great tempest, yielding to the violence of a storm, therewith to be carried away, contrary to his intents for the present, but waiting when the wind should soon turn about to the north, and blow him and his a prosperous gale." (Ibid., 166.)

induced to take an oath in the Star-Chamber Court, made disclosures concerning the condition of his party in Northamptonshire, of which the government did not fail assiduously to avail itself; and "thus, one link being slipped out, the whole chain was quickly broken and scattered. Stone's discovery marred for the future all their former meetings, as classically or synodically methodized. If any of these ministers hereafter came together, it was for visits, not visitations; to enjoy themselves, not enjoin others orders to be observed by them."[1]

The repose to which, after this alarm was over, the Presbyterians now surrendered themselves for several years, was imputed to their "weariness, because so long they had in vain sought to cast off the yoke of the hierarchy from them. Besides, they did not so much practise for the present, as project for the future, to procure hereafter an establishment of their ecclesiastical government. For they beheld the Queen's old age as a taper of virgin wax now in the socket, ready to be extinguished."[2] It has been before seen with what moderate proposals some of the discontented clergy approached the Scottish Presbyterian King James, on his accession to the throne of England; how sternly 1603. they were repulsed;[3] how severe was the treatment of Puritanism that followed, under the administrations of Bancroft and Laud; and how manfully it advanced its position through forty years of indignity and suffering.

A precisely organized national Church, a body political as well as religious, patronized and honored by the government, leaning upon it and in turn affording it support, was a traditional idea with Englishmen of condition and culture, and scarcely less so with the mass of their countrymen, in proportion to their capacity of apprehending

[1] Fuller, III. 116–121.
[2] Ibid., 165.
[3] See Vol. I. 127–132.

it. Accordingly, when study of the Bible had combined in England with the experience of practical evils to diffuse widely a dissatisfaction with the episcopal system, it was to be expected that great numbers ould recognize an eligible form of national religious unity in that Presbyterian order, which Cartwright and others had recommended with such erudition and zeal; which the great master of reformed theological science had set up;[1] which in the sister kingdom had produced such generous fruits of righteousness; and which now offered itself as a bond of intimate fraternity between the Protestant communions of the two united realms, and between the armies allied in the holy war for truth and freedom against a common oppressor. And, in point of fact, so it was that, throughout the early proceedings of the Long Parliament, the Presbyterian was the decidedly prevailing religious interest among the opposers of King Charles. Some of the patriot party would still have been glad to re-establish the doomed fabric of the Episcopal Church; but most of these went over to the king with Falkland and Hyde; and the influential or capable persons, who, in the place of a Church governed by bishops, wanted neither the Presbyterian nor any other religious establishment, if not few in number, did not yet appear numerous enough to constitute a considerable element in the state.

1642.

The time for the desired substitution of Presbytery for

[1] Cartwright probably visited Geneva, and saw the working of its ecclesiastical system, but not till 1654, several years after Calvin's death. There it is likely that he formed a friendship for Theodore Beza, who, in a letter to Walter Travers, — interesting on several accounts, — calls him "*noster Cartwrightius.*" (Fuller, III. 26.) Travers, afterwards preacher with Hooker at the Temple (see Vol. I. 281), is called by Fuller (III. 26) "the neck, allowing Mr. Cartwright for the head, of the Presbyterian party, the second in honor and esteem." He too paid a visit to Geneva in Beza's time. "By the advice of Mr. Melville, he and Mr. Cartwright were solemnly sent for to be Divinity Professors in the University of St. Andrews." (Ibid., 126.) But both preferred to remain in England.

Episcopacy, as the established church of England, seemed to have arrived.[1] In the first month of the civil war, an Ordinance of Parliament provided that the episcopal jurisdiction should cease after fourteen months, thus allowing time to mature another discipline to take its place.[2] It was followed after some months by the "Ordinance of the Lords and Commons Houses in Parliament for the calling of an Assembly of Learned and Godly Divines and others, to be consulted with by the Parliament for the Settling of the Government and Liturgy of the Church of England, and for vindicating and clearing of the Doctrine of the said Church from False Aspersions and Interpretations." The Ordinance recited that the government of the Church "by archbishops, bishops, ... and other ecclesiastical officers, ... is evil and justly offensive and burdensome to the kingdom, and an impediment to reformation and religion;" and it declared, "that such a government should be settled in the Church as might be most agreeable to God's holy word," and that it should be brought into a "nearer agreement with the Church of Scotland and other reformed churches abroad."[3]

1642. Sept. 10.

1643. June 12.

This made way for a treaty with the Scots, the fruit of which was the *Solemn League and Covenant*. That famous compact, allying the two nations in a defence of the rights and liberties of both, provided that the Kirk of Scotland should be main-

Solemn League and Covenant. Aug. 17.

[1] The claims of Presbytery were fully set forth in England in 1641, in the "Defence of Church Government, exercised in Presbyteriall, Classicall, and Synodall Assemblies, ... by John Paget, late able and faithful Pastour of the Reformed English Church in Amsterdam"

[2] Five weeks before the passage of this Ordinance, Parliament had received a letter from the General Assembly of the Kirk of Scotland, recommending "that in all his Majesty's dominions there might be one confession of faith, one directory of worship, one public catechism, and one form of church government." (Marsden, Later Puritans, 60.) When the King presently began the war, this recommendation was felt with the greater force, as coming from a quarter where twenty thousand trained troops stood ready for the field.

[3] Rushworth, V. 337.

tained in its existing polity, and that the Church of England should be reformed "according to the word of God, and after the example of the best reformed churches."[1] The Scottish Commissioners had insisted on a stipulation for ecclesiastical uniformity in the two kingdoms (which of course meant conformity to their own standard) as the indispensable condition of a treaty. Their prepossessions led them to construe the language which was proposed on the other side as being equivalent to what they desired But two of the six English Commissioners, Vane, seven years before Governor of Massachusetts, and the minister Philip Nye, who was entirely in his confidence, had in mind a different interpretation of the words, to be asserted when the time should be ripe.

The Ordinance provided that the council for Church Reformation, since familiarly known as the *Westminster Assembly*, should come together in Henry the Seventh's Chapel in Westminster Abbey. It was subject to be adjourned or dissolved by Parliament. It was to entertain no other questions but such as Parliament should propose, and to assume no "jurisdiction, power, or authority, ecclesiastical or otherwise," beyond what were expressly conferred in the Ordinance. Its *Prolocutor*, or presiding officer, was to be appointed by the Parliament. In these strict limitations we seem already to discern the marks of hands different from those which would have uplifted the Presbyterian power.

Westminster Assembly.

By the Ordinance, the Assembly was constituted of a hundred and twenty-one English ministers, with ten members of the Upper House of Parliament and twenty of the Lower. Four ministers and two laymen of the Scottish Kirk also had seats,[2] and to the number of English ministers twenty-one more were soon added. Only sixty-nine members, however, appeared on

July 1.

[1] Rushworth, V. 478, 479.

[2] The ministers were Baylie, Gillespie, Rutherfurd, and Henderson. The laymen were Maitland, afterwards the notorious Earl of Lauderdale, and Johnstone of Waristown.

the first day; and it is probable that the number present at a session never exceeded eighty. The meetings, after the first, were held in what was called the *Jerusalem Chamber* in St. James's Palace.

The most numerous party in the Assembly consisted of earnest Presbyterians.[1] Calamy, Corbet, Gataker, Hildersham, Spurstowe, Vines, and others prominent, in recent years, in the Non-conformist ranks, were among them. Of ecclesiastics favoring more or less the old system of things there were about twenty, among whom were the excellent Archbishop Ussher, and three other Bishops; but the King issued a proclamation denouncing the Assembly, and this section of it at once withdrew. Another party went by the name of *Erastians*, derived from a physician of Heidelberg, named Erastus, author of a system of church government, which resolved it into a department of the civil administration. According to the doctrine of the English Erastians, — not sparingly avowed, but in some cases, perhaps, only imputed, — the Christian minister is simply a lecturer, employed or protected by the State, to which belongs all authority, religious as well as civil. From the nature of this scheme, its supporters could not be so precisely counted as the partisans of theories more definite. But one of those understood to represent it in the Assembly was the very learned Orientalist, John Lightfoot.

Parties in the Assembly. Presbyterians. Episcopalians. Erastians.

Practically there was to some extent a natural coalition between the Erastians and a fourth party in the Assembly, composed of men of a character entirely dissimilar from theirs, and known as the *Independents*. And if in that council which was expected to give

Independents.

[1] From a letter of Robert Baylie to a friend, Mr. John James Tayler has drawn a lively picture of the Assembly while in session. (Retrospect of the Religious Life of England, 130.) For a list of eminent members of it, with their several party affinities, see Fuller, III. 446, 447.

ecclesiastical unity and stability to the British realm, Scotland gave being, or contributed great force, to what was at first the controlling element, to New England may not without reason be traced that other influence which in a short time rose to irresistible ascendency.

The scheme of church administration, which perhaps Robert Brown[1] had been the first to set forth formally in writing, though he was not the first to maintain it,[2] suited the speculations of the generation next after his own, as they shaped themselves in a large class of minds.[3] The name *Brownist* had never been willingly borne by most of those who had accepted the distinguishing doctrine of the heresiarch to whom it related.[4] Nor was it without reason that a distinction was alleged, and a new name preferred, when, relaxing the offensive severity of Brown's system, some who had adopted his tenet of the absolute independence of churches came to differ from him respecting the duty of avoiding and denouncing dissentients from it as rebellious, apostate, blasphemous, antichristian, and accursed.

To this amendment of *Brownism* the mature reflections

[1] See Vol. I. 123, 125.

[2] See Baylie's Dissuasive, 13 *et seq.*; Young's Pilgrims, 442 *et seq.*

[3] Browne's earliest book, I suppose, was the treatise printed, in 1582. at Middelburg, in Zeeland, under the title, "A Booke which sheweth the Life and Manners of all true Christians, and howe unlike they are unto Turkes and Papistes and Heathen Folke; also the Pointes and Partes of all Divinitie, that is, of the Revealed Will and Worde of God, are declared by their several Definitions and Divisions in Order as followeth; also there goeth a Treatise before of Reformation without tarrying for anie, and of the Wickednesse of those Preachers which will not reforme themselves and their Charge, because they will tarrie till the Magistrate commande and compell them." This last clause evidently points to that policy of the Presbyterians which I have indicated, of enlisting at the outset the supreme power, and supplanting the existing State religion by means of an act of the Estates of the Realm, instead of putting their own system at once into operation among such portion of the people — small or large — as should be found ready to receive it. Nothing that I have read elsewhere respecting Robert Brown would have led me to attribute to him the high ability which I think this book displays.

[4] Young, Pilgrims, 397, 412, 416, 428, 444; Baylie, Dissuasive, 102.

and studies of the excellent Robinson of Leyden conducted him;[1] and with reference to it he and his followers were sometimes called *Semi-separatists*.[2] Such a deference to reason and to charity gave a new position and attractiveness to the sect, and appears to have been considered as entitling Robinson to the character of "father of the Independents."[3]

1640-1641.

Immediately on the meeting of the Long Parliament, "the Brownists, or Independents, who had assembled in private, and shifted from house to house for twenty or thirty years, resumed their courage, and showed themselves in public."[4] During this period of the obscurity of a sect which, when arrived at its full vigor, was to give law to the mother country, the history of the progress of its principles is mainly to be sought in New England. They were brought from Leyden to New Plymouth by Bradford and his company. Ten years later, they became the basis of the churches in Massachusetts.[5] When,

Connection of the Independents with New England.

[1] Robinson, Apology, *passim*. — "Illi Brunitæ, isti *Robinsoniani;* nondum *Independentium* nomen eventilatum erat." (Salmasius pro Carolo, 386.)

[2] Baylie, Dissuasive, &c., 17.

[3] So Neal calls him (I. 423). "Mr. Robinson . . . . . first struck out the Congregational or Independent form of church government." (Ibid., 367.) — "It [Robinson's doctrine] was the womb and seed of that lamentable Independency which in Old and New England hath been the fountain of many evils already, though no more should ensue." (Robert Baylie, Dissuasive from the Errors of the Time, 17.) — A good abstract of the scheme of the Brownists is given by Neal (I. 246-248). There is no difference between them and the Independents, except in the rigid exclusiveness of the former. Neal (I. 461, 462) understood the first Independent church in England, properly so called, to be that instituted in London in 1616, by Henry Jacob, who had been a disciple of Robinson, at Leyden. In 1624, he came over to Virginia, where he died soon after. His "Attestation of many learned, godly, and famous Divines," &c., published in 1613, — the only book of his that I have seen, — learnedly maintains two propositions, viz. "That the church government ought to be always with the people's free consent," and "That a true *Church* under the Gospel containeth no more ordinary congregations but one." John Lothrop, subsequently minister of Barnstable, on Cape Cod, was Jacob's successor in London.

[4] Neal, II. 23.

[5] Cotton says positively that Skelton, the first pastor of the Salem church, "was studious of that way" before he left England. (Way Cleared, 16.)

ten years later yet, they emerged to notice in other relations, their opponents and their votaries alike referred to Massachusetts as the source of the potent element which had made its appearance in the religious politics of England.[1] In the second year of the Long Parliament, there

[1] Baylie published his "Dissuasive," &c., in 1645, when the Presbyterians had become thoroughly frightened by the course of affairs. The first two chapters treat of the Origin, Progress, and Doctrine of the Brownists, of which sect he says (17) that it was "ruined" by Robinson, and had "become contemptible to all the world." The title of the third chapter is, "The Original and Progress of the Independents, and of their Carriage in New England," in which nest he considers the scheme to have been fledged for its higher flight. "Master Robinson," he says, in an off-hand summary (54), "did derive his way to his separate congregation at Leyden; a part of them did carry it over to Plymouth in New England; here Master Cotton did take it up, and transmit it from thence to Master Goodwin [then a leading member of the small clerical representation of Independents in the Westminster Assembly], who did help to propagate it to sundry others in Old England, ... till now by many hands it is sown thick in divers parts of this kingdom." (Comp. Pagitt, Heresiography, &c., 82.) This general statement he proceeds to draw out into details. As was natural, — his attention to the subject having been of but recent date, — Cotton, who did not go to Massachusetts till three years after the foundation of that Colony, occupies a somewhat disproportionate space upon his canvas. Cotton, he says (55), "so long as he abode in England, ... in all his opposition to the episcopal corruptions, went not beyond Cartwright and the Presbyterians. With the way of the Separatists he was then well acquainted, but declared himself against it in print." The good man, however, went to New England, and there came under new influences. "Master Cotton, a man of very excellent parts, contrary much to his former judgment, having fallen into a liking of it, and by his great wit and learning having refined it, without the impediment of any opposition, became the great instrument of drawing to it, not only the thousands of those who left England, but also, by his letters to his friends who abode in their country, made it become lovely to many who never before had appeared in the least degree of affection toward it. ..... So soon as he did taste of the New-English air, he fell into so passionate an affection with the religion he found there, that incontinent he began to persuade it with a great deal more zeal and success than before he had opposed it. His convert, Master Goodwin, a most fine and dainty spirit, with very little ado was brought by his letters from New England to follow him unto this step also of his progress." (Ibid., 56; comp. Cotton, Way of Congregational Churches Cleared, I. 12–18, 25–28.) Baylie had motives and opportunities to trace the spring of the then recent resurrection of Independency in England, and his testimony on that point is very noteworthy, notwithstanding his attaching an excessive importance to the agency of Cotton, of whom he knew more than of other movers in Massachusetts. Cotton's position was no doubt in the front rank. But he was not the only Massachusetts man who corresponded freely

was published in London a treatise by John Cotton, in the form of Question and Answer, entitled "The True Constitution of a Particular Visible Church, proved by Scripture." It asserts for congregations of Christians a perfect independence of each other, except that, if a church, having given offence, shall refuse to "hearken" to the admonition of neighboring churches, 1642.

with religious Englishmen; nor was correspondence the only medium for transmitting Independency from New to Old England. Vane went home from the chief seat in Massachusetts four years before the Long Parliament met. Humphrey, Saltonstall, the younger Winthrop, Wilson, Winslow, — numbers of men of note, — passed back and forth between their new abode and the circles of their earlier association; — and, for some few years before Baylie wrote, ministers had been relating from English pulpits, and soldiers to their comrades by camp-fires, their experiences of free churches in the Transatlantic wilderness. (See Vol. I. 585–587.) So long ago as 1637, some Puritan clergymen in England wrote to the emigrants a letter of inquiry, in which they say, "Letters from New England have so taken with divers in many parts of this kingdom, that they have left our assemblies because of a stinted Liturgy, and excommunicated themselves from the Lord's Supper because of such as are not debarred from it." (Hanbury, Historical Memorials, &c., II. 19 *et seq.*; comp. Albro, Life of Shepard, 265–267.) The letter was answered by Cotton for the New-England ministers in 1639; a rejoinder was made by John Ball in 1640, in a treatise entitled, "A Trial of the New Church Way in New England and in Old;" and Mr. Shepard and Mr. Allin of Massachusetts continued the controversy by a book in more than two hundred quarto pages, entitled, "A Treatise of Liturgies," &c., and professing to be "A Defence of the Nine Positions," which the New-England clergy had assumed.

The form into which Independency in its third stage (Separatism and Semi-separatism being the first two) had been brought in Massachusetts, was recognized in the "Apologetical Narration," presented to the House of Commons in 1643 by Nye and his four clerical friends in the Assembly. "We have had," they say, "the later example of the ways and practices ..... of those multitudes of godly men of our own nation, — almost to the number of another nation, — and among them, some as holy and judicious divines as this kingdom hath bred, — whose sincerity in their way hath been testified by the greatest undertaking, but that of our father Abraham out of his own country and his seed after him," &c. (Hanbury, II. 223.) And they proceed to explain, that a church may be called to account by neighboring churches, and, for good cause, be cut off from church-fellowship. With this arrangement — which may, with much propriety, be said to be of Massachusetts origin — for the exercise of a jurisdiction by *Councils* of neighboring churches, Independency or Congregationalism took its ultimate shape. — Whoever wishes to write a monograph upon the growth of the great power of Independency in England from an American root, may find ample materials in Prynne, Edwards, Baylie, Rutherfurd, Ball, and the other English and Scotch controvertists of the period.

"they have power to withdraw from them the right hand of fellowship, and no longer to hold them in the communion of saints;"[1] and this course may be decided upon at a meeting of messengers from "the churches thereabouts." The same was the doctrine of a treatise issued in London about the time of the meeting of the Westminster Assembly, with the title, "Church Government and Church Covenant discussed, in an Answer of the Elders of the several Churches in New England to Two and Thirty Questions sent over to them by divers Ministers in England."[2]

1643.

Among the clerical members of the Westminster Assembly only eight or ten were reckoned as Independents;[3] but, of that small number, five at least, Philip Nye, Thomas Goodwin, William Bridge, Sidrach Simpson, and Jeremiah Burrows, were men of undisputed ability.[4] Among the laymen the great names of Oliver St. John, John Selden, and Bulstrode Whitelocke were counted either with them or with the Erastians. In Parliament, Lord Say and Sele in the Upper House, and in the Lower the younger Vane, Oliver Cromwell, and Nathaniel Fiennes, with St. John, Selden, and Whitelocke, were as yet almost their only decided and eminent friends.

Outside of the Assembly there were popular forces more or less allied in policy with the Independents. A variety of names had come into use, to designate one or another of the systems of erratic specula-

Variety of English sectaries.

[1] True Constitution, &c., 12, 13. — "Synods" for this purpose made a part of Robert Browne's project. (A Book which showeth The Life and Manners of all True Christians, &c., Question 51.)

[2] The questioners were Presbyterians. The Answer was drawn up by Richard Mather of Dorchester. (Cotton, Answer to Williams, 63.) In a Preface by Hugh Peter, he repudiates the name *Independent*. "Of late we find them passionately reject the name of *Independents*." (Baylie, 102.) "The word of *Independency* some of them do much abominate." (Ibid., 111.) The name *Congregationalist* was preferred by such persons.

[3] Hetherington, History of the Westminster Assembly of Divines, 140.

[4] Henry Phillips, previously of Dedham in Massachusetts, was a member. (Hist. and Geneal. Reg., XIII. 79.)

tion, which had grown up under the stimulating influences of the time.[1] In politics, some of the most noisy *fanatics* — the word is said to have now first become common — held that government in every form is a usurpation; while their moral theory maintained, that the Gospel had superseded not only the Jewish law, but all divine law, and that, "since the death of Christ upon the cross, sin itself, its guilt and punishment, are so utterly abolished, that there is now no sin in the Church of God, and God now sees no sin in us."[2] It was in great part owing to their profession of doctrines of this description, — so directly and mightily bearing upon practice in public and private life, — that the Anabaptists and Antinomians labored under such general discredit. But they and the more obscure sectaries might be relied upon for opposition to the Presbyterians in the controversy about ecclesiastical regulation, and consequently in the more practical disputes which grew out of it. The cause of the Independents was so far their own.

For a little while the business of the Assembly proceeded without strife. It petitioned Parliament to appoint a Fast-Day, which was accordingly observed. It spent ten weeks in a revisal of the first fifteen of the Articles of the Church. Together with the Parliament, in a church in Westminster, it adopted, with imposing ceremony, the Solemn League and Cove- 1643. July 21. Sept. 25.

[1] In his "Gangræna," Thomas Edwards, Presbyterian incumbent of Christ Church, London, treats of the sectaries of his time under the following general heads, sixteen in number; namely, Independents, Brownists, Millenaries, Antinomians, Anabaptists, Arminians, Libertines, Familists, Enthusiasts, Seekers, Perfectists, Socinians, Arians, Anti-Trinitarians, Anti-Scripturists, Sceptics. Edwards published in 1646; but all these forms of opinion, full-shaped or in their elements, had appeared at least some few years before. Other names, as Ranters, Rationalists, Levellers, &c., came into use later. — Pagett's list (Heresiography, or a Description of the Heretics and Sectaries of these Latter Times, &c., 1647) contains forty-five names of sects. — Samuel Rutherfurd's abridged catalogue (Survey of the Spiritual Antichrist, 1648) comprises Antinomians, Libertines, Anabaptists, Socinians, Perfectists, Familists, Swenckfeldians, Enthusiasts, and others.

[2] Marsden, Later Puritans, 222–235.

nant, in the month after the Parliamentary sanction of that compact. This proceeding led to a rupture. The Presbyterians understood the League and Covenant to include an engagement to set up their church polity; and they did not scruple to avow their design, that that polity should be exclusive and intolerant. The small, but weighty, minority took alarm; and, with the help of able backers in Parliament, they managed to fend off the threatened mischief, though their position was still altogether insecure. When the scheme for their oppression was sufficiently unfolded, their obvious resource was to look abroad for sympathy and support; and the five leading Independent ministers published, with their signatures, what they called an "Apologetical Narration," in the form of a memorial to Parliament. They concluded by "beseeching" that body, for themselves and those whom they represented, "to have some regard to their past exile and present sufferings, and upon these accounts to allow them to continue in their native country, with the enjoyment of the ordinances of Christ, and an indulgence in some lesser differences, as long as they continued subjects."[1] This, however, was no part of the plan of the confident and determined Presbyterian leaders, who with difficulty were kept back from the immediate consummation of their purposes by the skilful tactics of the experienced lay members of the smaller party.[2]

Dissension in the Assembly.

1643.

[1] Fuller, Church History, III. 466.

[2] In writing thus of the Presbyterians, I have not overlooked the liberal views and generous character of many of the party, or the serious embarrassments with which they were beset. A large proportion of the best men of England were of their number. After the overthrow of the hierarchy, they constituted the conservative element in the kingdom. They were disgusted and alarmed by the crop which they saw growing around them, of extravagant nonsense in speculation, of conceited and ignorant dogmatism, of sentiments hostile to public order, of refinements in morality which ended in escape from the sense of moral obligation, and in libertinism and universal license. The responsible Independents could not fairly be charged with an agency in bringing in these mischiefs. But the exigencies of self-defence had brought the Independents into political

The hard-pressed Independents again looked across the water for help; and, with a hope, as they expressed it, "to reconcile some present differences about discipline," Goodwin and Nye printed and circu- 1644.

alliance with the hare-brained and foolhardy sectaries of other names; and the intimacy grew more close in proportion as the Presbyterians insisted more upon that ecclesiastical union, in which they hoped to find a remedy for the prevailing disorders.

It should further be said, that, had the Presbyterian party obtained the permanent power at which it aimed, there were numbers of good men belonging to it and possessing powerful influence in it, who without doubt would, to the utmost of their power, have restrained the impetuous intolerance of their less enlightened associates. But how far they might be able to do this could not be known till after the experiment; whether they would even wish to be lenient to the full extent that was desirable for the dissenting body, was uncertain; and, at all events, men who have power, or hope to have it, are not content to hold by sufferance what they esteem their right.

Whatever the Independents might have been justified in hoping, had they allowed the opposing party to establish itself in the authority at which it aimed, certainly they had cause for apprehension sufficient to forbid them to resign themselves to its mercy. Whatever influences they might imagine would ultimately prevail, certain it is, that the language of many of the Presbyterian leaders — and among them men whose control over the passions of their friends was unsurpassed — was threatening in the extreme. The party had scarcely, in any rank of life, a man of more consequence than Robert Baylie. This is his language in the Preface to his Sermon preached before the House of Lords in July, 1645: "It is more, at least no less, unlawful for a Christian State to give any liberty or toleration to errors, than to set up, in every city or parish of their dominions, bordels for uncleanness, stages for plays, and lists for duels. A liberty for errors is no less hateful to God, no less hurtful to men, than a freedom, without any punishment, without any discouragement, for all men, when and whereso-ever they pleased, to kill, to steal, to rob, to commit adultery, or to do any of those mischiefs, which are most repugnant to the civil law, and destructive of human society." And if so, what followed in respect to the Independent party? For, he continues, "That so much extolled Independency, wherein many religious souls for the time do wander, is the chief hand that opened at first, and keepeth open to this day, the door to all the other errors that plague us." — Edmund Calamy was a Presbyterian oracle. "If," said he, in 1644, in a Sermon before Parliament, "you do not labor, according to your duty and power, to suppress the errors and heresies which are spread in the kingdom, all those errors are your errors, and those heresies are your heresies; they are your sins." (Price, Hist. Non-Conformity, II. 327.) — "A toleration," urged the Presbyterian Edwards in 1646, "is the grand design of the Devil, the master-piece and chief engine he works by at this time to uphold his tottering kingdom. It is a most transcendent, catholic, and fundamental evil. . . . . The Devil follows it night and day, working mightily in many, by writing books for it, and other ways, all the devils in hell and their instru-

lated an elaborate treatise composed by Cotton, bearing the title of "The Keyes of the Kingdom of Heaven, and Power thereof, according to the Word of God."[1] This was followed up by a larger work, also from his pen and published by his friends in London, on "The Way of the Churches of Christ in New England, or the Way of Churches walking in Brotherly Equality or Co-ordination, without Subjection of one Church to another, measured and examined by the Golden Reed of the Sanctuary." Some Presbyterian immediately published an elaborate

ments being at work to promote toleration. O, let ministers oppose toleration, as that by which the Devil would at once lay a foundation for his kingdom through all generations." (See Gangræna, I. 58 – 85.) — The Presbyterian ministers of Lancashire, in 1645, testified with "harmonious consent," that toleration was "soul-murder, the greatest murder of all, for the establishment whereof damned souls in hell would accuse men on earth." (Price, Non-Conformity, II. 331.) — Prynne was a man well able to make himself heard, and his multitudinous writings breathed an uncompromising harshness against dissent. — In fine, that the apprehensions of the Independents from a Presbyterian government had not been unreasonable, was manifested by the strictest proof, when, at a late stage of the quarrel (May 2, 1648), a temporary Presbyterian majority in Parliament, in an "Ordinance against Blasphemy and Heresy," constituted some alleged errors capital offences, and made others highly penal. (Crosby, History of the English Baptists, I. 199.)

To avert the dangers thus threatened in England by a Presbyterian sway, the men of New England were prompted to interpose, not only by zeal for the defence of what they had themselves received as the truth, and by sympathy with their English friends in both hopes and fears, but by the probability that the success of the plans which were avowed would ultimately involve peril to themselves, or would at least impair the cordiality of friendship between themselves and the rulers of the parent country. At the same time, the leaders in New England had no share in the anxieties which might seem to excuse the rigor of the English Presbyterians, nor was their position by any means the same. In New England, the Independents were the party interested to keep things as they were. They were in little danger from Familism and its kindred fancies; they had subdued it when they conquered the faction of Hutchinson and Wheelwright; and they had since had a settled order of their own, which a triumph of Presbytery in England could influence only to their disturbance. If conservatism in England might be excused for securing power to Presbyterianism, and exercising rigor against Independents, in New England it looked the other way. New-England conservatism was concerned to have Independency maintained intact.

[1] Mather says (Introduction to the Cambridge Platform) that Owen, having undertaken to answer this book, found it too strong for him, and was converted by it.

reply to Cotton's book.[1] Persons of no less consideration than the Scottish Commissioners, Samuel Rutherfurd[2] and Robert Baylie,[3] came into the lists against him. Herle, the Prolocutor of the Assembly, lent his aid, and was answered by two divines of New England.[4] Other distinguished Englishmen took part in the controversy;[5] none entered into it with more bitterness on the Presbyterian side than William Prynne, the sufferer a few years before from the tyranny of Laud.[6] William Apollonius, of Middelburg, in Zeeland, maintained the cause of the

[1] "Vindiciæ Clavium, or a Vindication of the Keyes of the Kingdom of Heaven into the Hands of the Right Owners, being some Animadversions upon a Tract of Mr. J. C., &c. By an Earnest Well-wisher to the Truth."

[2] "The Due Right of Presbyteries, ... wherein is examined the Way of the Church of Christ in New England," &c. It is an answer, in a quarto volume of 800 pages, to Cotton's "Way of the Churches." It was particularly in reply to this that Thomas Hooker of Hartford wrote his "Survey of the Summe of Church Discipline, wherein the Way of the Congregational Churches of Christ in New England is warranted and cleared," &c., a volume of 490 pages, with a short Appendix by Mr. Goodwin. — "Many books coming out of England [1645], some in defence of Anabaptism and other errors, ... others in maintenance of the Presbyterial government, agreed upon by the Assembly of Divines in England against the Congregational way, which was practised here," &c. "The several answers were these; Mr. Hooker in answer to Mr. Rutherfurd, the Scotch minister," &c. (Winthrop, II. 248.)

[3] "A Dissuasive from the Errors of the Time," &c.

[4] "A Modest and Brotherly Answer to Mr. Charles Herle his Book against the Independency of Churches," &c., by Richard Mather of Dorchester, and William Tompson of Braintree. "A Reply to Mr. Rutherfurd, or a Defence of the Answer to Reverend Mr. Herle's Booke against the Independency of Churches," &c., by Richard Mather.

[5] As Thomas Edwards, in his "Antapologia, or Full Answer to the Apologetical Narration," &c.; William Rathbun, in his "Brief Narration of some Church Courses held in Opinion and Practice in the Churches lately erected in New England," &c.

[6] Prynne would have the Parliament make some of their opponents "exemplary monuments of their impartial severity;" and "if the new seditious lights and firebrands will needs set up new churches, heresies, church governments, and vent their new errors or opinions," he would have them "do it only in New England, or other Newfoundlands, since Old England needs them not, unless it be to set her all on fire." (A Fresh Discovery of some Prodigious New Wandering Blazing Stars and Fire Brands, styling themselves New Lights, firing our Church and State into New Combustions, &c., Epist. Ded., A. 2; comp. 51.) Prynne's composing vein flowed very freely There are more than a dozen tracts of his in this controversy.

English Presbyterians in a learned Latin treatise,[1] and was answered by John Norton, of Ipswich, in Massachusetts.[2] Much of the discussion between parties in the Assembly was conducted in writing, and the papers were from time to time given to the public in print.[3]

The irreconcilable character of these differences was becoming apparent, when, after the second battle of Newbury, the royalist and patriot armies withdrew for some months from the field. From other causes which had now arisen, the rivalry between the two popular religious parties took more practical and vigorous forms.

Politics of Independents and Presbyterians.

The King signified his disposition to treat. His affairs had by no means become desperate. The great disasters which had befallen him had not been uncompensated, and the termination of the last campaign had been honorable to his arms. But, in respect to regular supplies of money, he was at serious disadvantage when compared with the Parliament; and this, he now clearly perceived, would be a growing embarrassment, till negotiation or victory should restore him to his power. The Presbyterians were not indisposed to an accommodation with him. They meant that a condition of it should be the establishment of their own church order; but to this they were not without strong

[1] "Consideratio quarundam Controversiarum, ad Regimen Ecclesiæ spectantium, quæ in Angliæ Regno hodie agitantur," &c.

[2] "Responsio ad totam Quæstionum Syllogen, &c. Per Johannem Norton, Ministrum Ecclesiæ quæ est Ipsuici in Novâ Angliâ."

[3] In 1648, these papers were collected and published under the title, "The Reasons presented by the Dissenting Brethren against certain Propositions concerning Presbyterial Government, and the Proofs of them, voted by the Assembly of Divines sitting, by Authority of Parliament, at Westminster, together with the Answer of the Assembly of Divines to those Reasons of Dissent." The book is the same as that which, with the date of 1652, has for a title-page, "The Grand Debate concerning Presbytery and Independency," &c. The copy which I use (belonging to the American Antiquarian Society) has attached to it another volume, also published in 1648, consisting of "Papers given in to the Honorable Committee of Lords and Commons and Assembly of Divines by a Sub-Committee of Divines of the Assembly and Dissenting Brethren." — Compare "Anatomy of Independency" (1644).

hope of obtaining his consent, and they had become jealous of the army, which they already apprehended to be freeing itself too much from their control, but which could not be disbanded while the King was at the head of a hostile array. The Independents, on the other hand, would have been satisfied with no peace which, in the place of the Episcopacy that had been overturned, would have set up a religious authority equally intolerant of them, if not equally odious to them.

The negotiation for a peace was held at Uxbridge, a town fifteen miles from London, on the road to Oxford, where were the royal head-quarters. It lasted twenty days. The King was represented by sixteen Commissioners, the English Parliament by twelve, and the Scots by ten, "for the Estates of the Parliament, together with Mr. Alexander Henderson, upon the Propositions concerning religion."[1]

Negotiation at Uxbridge. 1645. February.

The various subjects of dispute arranged themselves under three heads; — the religious establishment, the control of the militia, and the disposal of affairs in Ireland. The king was prevailed upon by his advisers to propose that the militia should be intrusted to twenty Commissioners, to be designated by agreement between him and the Parliament, or one half by each party; — the command to be restored to him at the end of three years. On the other side, no less was required than that the command for seven years should belong to officers named by the Parliament, and that at the end of that time it should be subject to legislative arrangement. As to Ireland, it was demanded that Parliament should have the exclusive management of the war, and that, after the reduction of that island, they should appoint the high officers for its government. To any such terms, it was manifestly impossible that the King should accede, until he was much further humbled; and it was therefore with

[1] Parliamentary History, III. 322.

indifference that the Independents saw him required by the Parliamentary negotiators, not only to abjure his own Episcopal religion, but to agree to the recognition of Presbytery as the exclusive national establishment. The parties separated to make another appeal to force. They could scarcely have expected anything else, when they met. Desirable to the King as a pacification was, could he have had it on his own conditions, one of his motives for proposing it in the existing circumstances may reasonably be supposed to have been, to throw upon his opponents the odium of obstinate rebellion; a manœuvre which it was equally to be expected that they would traverse by accepting his overture, so as to convict him of the arrogance and hypocrisy of offering inadmissible terms.

Oliver St. John and Henry Vane were at Uxbridge, looking on; and they were not men to read without discernment the signs of the times. The Independents and their allies had had little doubt that the war was to proceed, and they had already been taking their measures accordingly. Their numerical strength was even now proportionately much greater in the army than in the Assembly or the Parliament; and their wise men did not fail to perceive what a power the army was rising to be in the State, as well as that, even more than Parliament or Assembly, it was a power to be controlled and used by the intelligence and resolution of single minds. The time had given them advantages. The events of the recent campaign, the disastrous defeats dealt to the King by their friends Fairfax and Cromwell, compared with the weakness of the war against him wherever the adherents of the rival party — Essex, Waller, and Manchester — had commanded, and the alleged misconduct of the Scots at Marston-Moor, had placed them in a position to feel great confidence in themselves and in one another, and to expect to be regarded with much deference. It was through Cromwell's

influence that Lord Manchester, previously to the important movements about York, in which he acted a leading part, had been placed in command of the levies from the counties composing what was called the "Eastern Association." But Cromwell had been displeased with the inaction of his commander after the second battle of Newbury, and in his place in Parliament expressed his dissatisfaction in terms so vehement as to fall little short of a charge of treacherous disaffection to the cause.

The rising party urged upon Parliament the necessity of a new organization of the troops. They insisted that the war, as it had been hitherto conducted, — without zeal, without activity, without judgment, without plan, — was cruelly harassing the country and affording no promise of a speedy issue. A day of fasting was kept, to implore Divine direction as to a method of extrication from the existing embarrassments and fears. Some of the Independent ministers, in the City and elsewhere, used the occasion to trace the existing evils to such an ambition for self-aggrandizement on the part of eminent men, as caused them to retain high places at once in the civil and the military service, to the detriment of their efficiency in the field. Whether or not there had been concert between the Independents in the pulpit and the Independents in the House of Commons, the hint was taken up in Parliament. The day after the Fast, Sir Henry Vane, in his place, extolled the frankness of the preachers, ascribing it to an operation of the spirit of God. He earnestly recommended a course of self-abnegation; and, for his own part, proposed to resign at once the office which he held of Treasurer of the Navy. Cromwell followed in the same vein; and, while he cautioned the House not "to put trust in the arm of flesh," he assured them that, if members of Parliament should resign their military commands, there would not be the difficulty

Plan for the reorganization of the army.

that was apprehended in supplying the vacated places by officers fully competent.[1]

Whatever might be provable concerning the design of this movement, no sagacity was needed to foresee its result. The high military commands would pass out of Presbyterian hands. Essex, Waller, and Manchester, the senior generals of the army, Warwick, at the head of the fleet, Massey (the hero of Gloucester), Denbigh, Brereton, and many others, who hitherto had allied the physical force of the patriots to the majority in Parliament, would furnish that important link no longer. The Presbyterians could not avow their party jealousy as the principle of their hostility to the measure. They argued against it from considerations of the ingratitude of discarding men who had rendered honest and able service; of the difficulty of supplying fitly the places they would vacate; and of the easy authority now exerted over the soldiery, as well as the confidence inspired in the State, by the rank and wealth of the men whose services would be lost.

But the reasoning on the other side was too plausible and popular to be withstood. The vote of the compact body of Independents was strengthened by the votes probably of some men whom their general argument satisfied; perhaps of some men of too much delicacy to retain a precedence which was not cordially acceded; possibly of some men who were envious of the greatness

[1] Such is Clarendon's account (II. 434 – 437) of the debate and of the manner in which it arose. Godwin (History of the Commonwealth, I. 396) questions the correctness of the statement, on the ground that it was on the 11th of December (Journal of the Commons, III. 721) that an order was passed for a Fast, to be observed on the 18th, while the matter of the Self-denying Ordinance was first introduced December 9th (Ibid. 718), and it was passed by the Commons December 19th (Ibid. 728). At that period of frequent fastings, Lord Clarendon may have confounded some voluntary solemnity observed on the 8th with that which by public authority was kept on the 18th; or he may have mistaken the debate which took place on the day of the passage of the Ordinance for a debate on its introduction. Comp. Hansard, Parliamentary History, III. 326 – 338.

of those whom the proposed action would displace. The "Self-denying Ordinance," as it was called, was passed by the Commons.[1] It prohibited all members of either House of Parliament from holding office or command, civil or military, during the war. The Peers rejected it once, and then, with ill-concealed reluctance and mortification, complied; not, however, till the Ordinance was so modified as to deprive it of its prospective character.[2] The Earls of Essex, Manchester, Denbigh, and Warwick, Sir William Waller, and numerous other officers of high rank, resigned, and received the thanks of Parliament for their services.

Self Denying Ordinance. 1644. Dec. 19.

1645. January.

Sir Thomas Fairfax was appointed General-in-chief; and it was determined to consolidate the army into a force of twenty-two thousand men. If anything would have reconciled the Presbyterian party to the Self-denying Ordinance, it would have been the prospect afforded of a riddance of Cromwell, as to his military command. But, whether by arrangement or by the course of events, this was not to follow. At the time of the resignation of the other officers, he was busy in the field. Parliament sent for him; but Fairfax replied with a special request to be allowed to retain him for a little time, till some immediate exigencies should be over. Cromwell constantly rendered himself still more necessary at head-quarters, and the General was indulged in not parting with him for the rest of the campaign. The longer he served, the more difficult was it found to do without him; and the

[1] While the question was pending, the Scottish Commissioners consulted Lord Essex, Whitelocke, and Maynard, respecting a motion in the House of Commons to impeach Cromwell as an "incendiary." "You ken vary weel," they said, "that Lieutenant-General Cromwell is no friend of ours..... He is not only no friend to us, and to the government of our Church, but he is also no well-wisher to his Excellency [Lord Essex]." (Whitelocke, Memorials, 116.)

[2] It passed as an "Ordinance for discharging the members of both Houses from enjoying any office, military or civil." (Journal of the Lords, VII. 302; comp. Hansard, Parliamentary History, III. 354–356.)

idea of dispensing with his services soon became one which it would have seemed absurd to suggest.

For the army was to be reconstituted, and the king was to be effectually beaten, and Cromwell and his superior were well informed, and well agreed, as to the ways of doing both. They proceeded to a vigorous use of the ample powers with which the new Commander-in-chief was invested by Parliament. Old regiments were broken up, and new ones were formed; capable and energetic men, hitherto unknown except to their comrades, received promotion; dissatisfied with their altered companionship, many officers, not displaced by law, voluntarily surrendered their commissions, to be bestowed on favorers of the new order of things. Especially chaplains left an army in which they found their influence greatly impaired, if indeed they were not often wounded by slight or contradiction. Among them were many of the most eloquent Presbyterian divines, who had been impelled to the field by an earnest desire to help on the work; and their retirement withdrew an agency which had been one of the hardest for the Independent interest to make head against.

The new efficiency infused into the Parliamentary army by the recent arrangements was at once apparent. In Taunton, Colonel Blake, afterwards the famous Admiral, was besieged by eight thousand royalists. Colonel Weldon relieved him, with a detachment of half that strength from Fairfax's army. Chester, held by Lord Byron for the King, was blockaded by Sir William Brereton. The King, with his nephews, led ten thousand men from Oxford to its relief. He took Leicester by storm; and the victory was used, as was the habit of Prince Rupert, with ferocious severity. Returning towards Oxford, the King was met at Naseby, in Northamptonshire, by Fairfax, who had moved from Windsor with about an equal force. Fairfax

New vigor of the army.

Battle of Naseby.

commanded in the centre of his army; the right wing was led by Cromwell, and the left by Ireton, Cromwell's son-in-law. Ireton was worsted by Prince Rupert. Fairfax, opposed to the King, with difficulty kept his ground. Cromwell drove from the field the regiments which confronted him, led by Sir Marmaduke Langdale, and, having sufficiently dispersed them, turned back to the assistance of his commander. The infantry about the King gave way. Eight hundred of his men were killed. Fairfax lost two hundred more than that number; but his victory was complete. He captured all the royal artillery and ammunition, and five thousand prisoners, of whom an unusual proportion were officers. The King's military force was irreparably broken, and his cause had received an incurable wound. 1645. June 14.

The loss of so large a part of his means for more fighting was not the whole, nor the worst, of his misfortune at Naseby. His cabinet fell into Fairfax's hands, with copies of letters to the Queen and others, disclosing the perfidy with which all along he had been acting in his transactions with the Parliament and in Ireland. Parliament caused a selection from them to be published. They justified whatever had been said of the ruthlessness of his schemes, and the danger of placing reliance on his word; and their effect was great in increasing the exasperation of his enemies, and in mortifying and distressing all, and alienating many, of those who, while they were willing to share the sufferings of an upright prince, shrank from a partnership with falsehood and dishonor.[1]

While the King escaped with some horse to hide himself in Wales, Fairfax recaptured Leicester; beat the royalists at Lamport in Somersetshire, killing three hundred men and making fourteen hundred prisoners; took Bath, Sherburne, and Bridgewater, the last with a garrison of twenty-six hundred men; and Conclusion of the first civil war.

[1] See these papers in an Appendix to the Memoirs of Edmund Ludlow.

then proceeded to lay siege to Bristol, whither Prince Rupert had retired. It capitulated after a poor defence; which so incensed the King, that he deprived his nephew of his commissions, and ordered him to leave the island. With some troops which he had gathered, Charles again moved to the relief of Chester, but was there defeated by Colonel Jones, with a loss of six hundred men killed and a thousand taken prisoners. He escaped with a fragment of his force, and shut himself up in Oxford.[1] The midland counties were overrun by Cromwell; the southern by Fairfax, who, in one affair, compelled the surrender of five thousand royalists. Chester was reduced. The Marquis of Montrose, the King's lieutenant in Scotland, after a short career of brilliant successes, was disastrously defeated by Lesley; and a force of three thousand men, mostly cavalry, was routed in Gloucestershire by Colonel Morgan, on its march to Oxford to reinforce the King. Its commander, Lord Astley, taken prisoner, said to his captors, "You have done your work, and may now go to play, unless you choose to fall out among yourselves."[2] A few detached posts still held out for a time; but, in effect, the first war was over, and the valor and conduct of the Independents had been conspicuous in bringing it to its triumphant end.[3]

1646. March 22.

A brief survey of the occurrences of the next three years in England will suffice for the purposes of this history. After the "Self-denying Ordinance," there seemed

[1] Three days after his arrival here, he held, at the Schools, his last Privy Council, August 30, 1645. Previous to this, there had been ten Councils held at Oxford, all of them at Christ Church. The last session of King Charles's Privy Council at Whitehall took place January 8, 1642. Next it sat at Nottingham, August 30 of that year; then at Oxford, August 31, 1643. (Journal of the Privy Council.)

[2] Whitelocke, 207.

[3] Cotton did not mean to have this fact overlooked by his readers: — "The great salvation, and glorious victories, which the Lord hath wrought for England these late years by any English power, his own right hand hath brought to pass chiefly by such despised instruments as are surnamed *Independents*." (Way Cleared, I. 22.)

reason to believe, that Presbytery must hasten to make good its claim, and establish itself in the institutions of the country, or its opportunity would be lost. But, strong as it was in Parliament, it found itself unable to command a majority for extreme measures. "Cromwell and his party were no friends to the designs of conformity, but carried their business with much privacy and subtilty."[1] As they were not yet in a condition to assure themselves of success in a conflict, they avoided it by ostensible compliance. But with vigilance and skill they guarded against measures of a decisive kind; and, in so doing, they were able to profit by the aid of many of the Presbyterians themselves, whose purposes in politics predominated over their sectarian bias, and who, having helped in wresting from the King so many of his other prerogatives and investing them in the Parliament, were not disposed, in compliance with the wish of the Presbyterian divines, to transfer again from Parliament to an irresponsible religious tribunal the great royal prerogative of supremacy in the Church.[2] An Ordinance was passed, establishing Presbytery, with its gradation of parochial, synodical, provincial, and national councils, as the Church of England. But when the Westminster Assembly claimed for that system the sanction of divine right, Parliament refused assent; and it disappointed the ambition of the clergy by determining, by law, the offences which might be visited with excommunication, and by providing for appeals from the judgment of ecclesiastical courts.[3]

Disappointments of the Presbyterian party.

1645. Aug. 19.

Oct. 20. 1646. March 14.

By the great body of Englishmen the system was not cordially received. It was promptly organized and set prosperously at work in the City and in Lancashire; but

[1] Rushworth, Collections, VII. 141.
[2] Hallam, 348; Fuller, III. 490.
[3] Journal of the Lords, VII. 544, 545, 649; VIII. 209; Journal of the Commons, IV. 247, 475; comp. Rushworth, VI. 224–228, 260, 261.

in other parts of the kingdom it was generally regarded with indifference where it was not regarded with dislike. Successive Ordinances "for the present settling (without further delay) of the Presbyterian Government in the Church of England;" "for the Ordination of Ministers by the Classical Presbyters within their respective bounds, for the several congregations in the kingdom;" and "for the speedy dividing and settling of the several Counties of the kingdom into distinct Classical Presbyteries and Congregational Elderships,"—received less and less attention while a swift current of different interests was sweeping on. What remains to be told of the story of the Assembly will cost but a few words. The lofty pretension of its beginning was not justified by its achievements. Nominally it continued in existence till some years after the formal ruin of the monarchy. Besides a Directory for Public Worship, it adopted a Confession of Faith, and a Larger and a Smaller Catechism,—works which have exercised a vast influence on religious opinion among the later generations of the British race. But its ambition for political supremacy was frustrate. More and more, as time passed on, matters of greater practical interest than Presbyterian speculations and contrivances claimed the public attention; their friends out of Parliament cooled and fell away; their friends in Parliament were crippled by another force; and the venerable Assembly of Divines at Westminster was forgotten long before it ceased to keep up a show of action.[1]

June 5.

Aug. 28.

1648. Jan. 29.

Impotence of the Westminster Assembly.

[1] A journal kept by Lightfoot of the proceedings of the Assembly has been published. It is said that another, kept by George Gillespie, is extant in MS. (Tayler, Religious Life of England, 133.) A third, which I have seen,—believed to have been made by Mr. Thomas Goodwin,—is in Dr. Williams's Library, in Red-Cross Street, London. It is in three manuscript volumes, and contains minutes of the sessions of the Assembly and of its Committees from August 4, 1643, to April 24, 1652, with some scattered entries extending to April 9, 1655, when a meeting was held at Sion College. A

From Wales, the King had stolen back again to Oxford, where the Parliamentary generals, unwilling to interrupt their operations for the settlement of the South and the West, left him undisturbed through the winter, to muse, in the beautiful solitude of St. John's College, on the gloomy aspect of his fortunes. The spring came, and brought no better prospect. Montrose, his defeated champion in Scotland, had been driven no one knew whither. Glamorgan, his confidential agent in Ireland, had been detected in intrigues so vile, that the King thought it necessary falsely to deny that he had authorized them. Hoping to derive some advantage from the religious feud which divided his opponents, he made new proposals to treat; but Parliament refused to receive either himself or commissioners from him, on the ground that hitherto he had availed himself of such opportunities for treachery and intrigue; and, when he twice repeated the offer, they made him no reply. There remained in his possession not a port on the western coast for the landing of reinforcements from Ireland. Fairfax's brigades were now at leisure, and were closing around his retreat. His five thousand men, though Oxford had been skilfully fortified, could not long hold out against them. With two companions he left the magnificent academical city at midnight, disguised as a servant. He came to Harrow on the Hill, and looked down on London; but thence, either from irresolution, or because of disappointment as to the reception of intelligence, he turned back, and, at the end of a week, presented himself at the head-quarters of the Earl of Leven, near Newark, in Nottinghamshire, where then the Scottish army lay.

The King at Oxford.

1645. December.

1646. Jan. 29.

March.

His flight to the Scottish army. April 27.

May 5.

small portion is legibly written out. A large part is written in unmixed short-hand, and a still larger part in short-hand mixed with hasty writing, equally without significance to the unpractised eye. The last approval of ministers which is recorded took place March 25, 1652. More than twelve hundred sessions were held of the Assembly and its committees.

It withdrew with him to Newcastle. He remained with it during the summer and autumn, served like a monarch, but guarded as a captive.[1] Neither the arguments of the Scottish clergymen, nor the offers of restoration to power held out to him by the Scottish statesmen and soldiers, could prevail with him to announce himself a Presbyterian. The English Parliament claimed the custody of his person. A sharp conflict of argument ensued as to the goodness of this pretension. At length, in fulfilment of a treaty in which the English stipulated the immediate payment of arrears due to the auxiliaries which had come from the sister kingdom, the King was surrendered into the hands of Commissioners from the Parliament, who conducted him to his appointed place of confinement at Holdenby, in Northamptonshire.

His surrender to Parliament. 1647. Jan. 30.

The King being no longer sovereign, it remained to be seen on whom the sovereignty devolved. The war being over, it appeared to Parliament that the nation was keeping up an army more costly than there remained occasion for; while many, in and out of Parliament, Presbyterians and others, observed with uneasiness that the army was strong, and that some of its commanders were ambitious. An Ordinance was passed for a reduction of the military establishment. But it was urged, on the other hand, — at least with great appearance of truth, — that a material reduction of the military force at this time would be followed by the restoration of the royal power, or by strenuous and sanguinary efforts to that end. At all events, the army had no mind to submit to a reduction which would at once divest it of power to enforce its claims, and leave the nation to the chances of

Frustrated attempt to reduce the army. March.

[1] The King's comfortless condition, while with the Scottish army, is painfully portrayed in a series of letters written by him to the Queen in the year 1646, and published in 1856 by Mr. John Brace for the Camden Society. The letters at the same time complete the illustration of King Charles's utterly treacherous character.

that Presbyterian sway, which many of the active spirits utterly distrusted, for other reasons as well as for the apprehension that it would end in reinstating the King. The army made a demand that, previous to any disbanding of the forces, there should be a "settlement of the kingdom," with sufficient guaranties for safety, and a provision for the arrears of pay. The latter condition involved an enormous outlay; for in order to obtain the highest degree of military aptitude and create an army such as that of the Parliament had now proved itself to be, the pay of the private soldier had been fixed at a rate beyond the average earnings of Englishmen. The war had lasted between four and five years, and it was alleged that the service of more than one year remained unrequited.

While this matter was pending, and Parliament was beginning to be taught its impotence, the surprising news came to Westminster that a party of five hundred cavalry, under one Joyce, had taken the King from Holdenby, and conducted him to the army, which was now marching upon the capital. The King conveyed to the army. Parliament threatened.

A panic seized the legislators. They disbanded some City levies which they had raised in the suddenness of their first alarm. They expunged from their journals an offensive resolve, in which they had denounced the fomenters of agitation in the army as "enemies to the state, and disturbers of the public peace;" they placed officers of the Independent party in command of the militia of London; and, under the form of granting a liberty of absence, the House of Commons, in compliance with a demand from the troops, expelled eleven Presbyterian members, two of whom were no less considerable persons than Hollis and Waller. June 5.

The Presbyterian spirit of the City revived, when the army, satisfied for the present with what it had done, withdrew to a distance of some forty miles. A mob of apprentices and others beset July 26.

the Houses of Parliament; and, frightened or emboldened by their clamor, the Houses cancelled their recent proceedings, and passed a vote inviting the King to Westminster. Depositing him at Hampton Court, Fairfax advanced the army a second time to the City; and now to more purpose. Ten thousand men had there been arrayed to oppose him; but their commanders — men so distinguished as Massey, Waller, and Poyntz — could not rouse them to any resolution. Fairfax pushed on his troops by a rapid march, and proceeded to occupy Westminster. The question of power between Presbyterians and Independents — between the Parliament and the army — was a question no longer. Two or three years had passed since the strife became overt; it was not yet formally brought to an end; but henceforward the party which had so suddenly emerged to greatness was in a condition to prescribe the terms of settlement.

London occupied by the army. Aug. 6.

In such a division, it was natural for the King to flatter himself that each side would be disposed to bid high for his favor. At the same time, even with his imperfect knowledge of what was passing, he could not but see which side was the stronger; and he began to court the army, and to entertain a sanguine hope of its support. The cause of the rupture of the negotiations into which at this time he entered with its leaders remains obscure. But whether it was, that he unreasonably distrusted their sincerity; or that he again had hopes of crushing both parties, and preferred that chance; or that Cromwell, Ireton, and their confidants, intended only to delude and use him; or that, on further experience, they became satisfied that he could not, under any securities, be trusted; or that, with a real desire to make a composition with him, they found themselves at last unable to command in such a proceeding the support of their followers; — however these things were, the King became anxious as

to the dispositions of those in whose power he lived, and resolved a second time to seek safety in flight. With three attendants, he reached the Isle of Wight, and there surrendered himself to the Parliamentary Governor, Colonel Hammond, being probably determined to that course by the fact that Hammond was the nephew of one of his chaplains. The Governor lodged him in Carisbrook Castle, and caused him to be entertained with respect.

The King's escape to the Isle of Wight. Nov. 11.

Suspicions of the purpose of the officers who had been treating with the King raised a mutiny in the army, which with some difficulty was quelled by Fairfax and Cromwell. A reconciliation was sealed by an engagement to bring the King to justice.[1] The time for the consummation of that project had not come; and for the present he was only subjected to severer restraint, the leaders having such confidence in the fidelity of Hammond as to feel satisfied that he would be securely kept.[2]

Dec. 15.

The Scottish Commissioners to Parliament, whom it was not yet prudent to affront, were permitted to visit the King at Carisbrook, and used their opportunity to negotiate with him anew. Alarmed by the progress of the adverse interest in the sects and in the army, they consented to make a large abatement from the rigor of their former demands. Instead of requiring him to take the Covenant and engage to establish Presbytery, they agreed to accept his promise, that, if restored to power, he would favor that discipline as far as his conscience would allow, and that he would at once acquiesce in its establishment as the national, but not the exclusive, re-

[1] Clarendon, III. 67 – 71.

[2] A collection, published in London, in 1764, of "Letters between Colonel Robert Hammond, Governor of the Isle of Wight, and the Committee of Lords and Commons at Derby House, General Fairfax, Lieutenant-General Cromwell, Commissary-General Ireton, &c., relating to King Charles the First, while he was confined in Carisbrook Castle, in that Island," is full of interest. Three letters of Cromwell to Hammond (22, 40, 101) are highly characteristic. The last is long and elaborate.

ligion of England for three years. A treaty on this basis was secretly signed, and the Commissioners went home to animate Scotland against the Independents and for the King. The strict Presbyterians of that kingdom, with the Earl of Argyll at their head, were dissatisfied with the bargain. The party of the Commissioners, under the lead of the Duke of Hamilton, prevailed in the Scottish Parliament, and a levy of forty thousand troops was ordered. The enlistments, however, went on heavily, and not half that force was actually raised.

Treaty of the King with the Scots. Dec. 28.

Arrangements had been quietly made for a simultaneous rising in England of the royalists and other malecontents; and, in the spring after the treaty with the Scots, what is called the *Second War* of this period began by an insurrection at Pembroke, in Wales. The Scots moved too slowly; and, before it became necessary to encounter them, there proved to be time effectually to suppress ill-managed outbreaks in the west, south, and east of the kingdom. Cromwell left little danger behind him when he moved to intercept the invasion from the north. At Preston, in Lancashire, with nine thousand of his veterans, he met the Duke of Hamilton, at the head of a force of some twenty thousand men. Cromwell's victory was complete. Of the enemy two thousand were killed, eight or nine thousand taken prisoners, and the rest scattered in all directions. Within a fortnight the town of Colchester, the chief position of the insurgents, surrendered to Fairfax, and the second war of arms was finished.

Second civil war. 1648. March 3.

Battle of Preston. Aug. 17.

Aug. 28.

Availing themselves of the absence of the army, Parliament resorted once more to negotiation with the King. He was conducted from Carisbrook to Newport, where he was met by a commission consisting of five Lords and fifteen members of

Treaty at Newport. Sept. 18 – Nov. 27.

the Lower House. Their fear of the rival party made it impossible for them to approach him with the indulgence to which probably most of them would not now have been disinclined;[1] and, though they brought him to an accommodation upon several points, they insisted upon some engagements — particularly for the final abolition of the episcopal order — which he could not bring himself to make. The Commissioners went their way. The last attempt at reconciliation seemed to have been made.

The army, stronger, more confident and more determined from its recent achievements, was again at leisure. Part of it was in Scotland and in the North with Cromwell. The rest had mostly been drawn near to the metropolis. They sent a "Remonstrance" to the Commons, praying, among other things, "that the King be brought to justice, as the capital cause of all the troubles" of the kingdom.[2] Affairs now grew pressingly serious for both the King and the Parliament. With bitter misgivings Charles brought himself to consent that bishops should be suspended from their functions till the sovereign and the Parliament should agree to restore them. The effect of this concession was seen when, after ten days' deliberation and advisement in the House of Commons, "the question whether the Remonstrance of the army should be taken into speedy consideration, was by ninety votes resolved in the negative."

Remonstrance of the army. Nov. 20.

Nov. 27.

Nov. 30.

This decision had been anticipated; and, on the day when it was announced, the King was taken from the island by a detachment from the camp, and conveyed to Hurst Castle, a fortress standing on a peninsular rock, near Lymington on the opposite shore. The next day

[1] Lord Say and Sele, however, and Sir Henry Vane, were on the commission.

[2] See the "Chief Heads of the Remonstrance," in Whitelocke, 355; Rushworth, VII. 1331.

Parliament was informed that the army was in rapid march towards the city. A message forbidding any nearer approach was forthwith sent; but before another sunrise Westminster had been occupied by the troops. This violence did not prevent the passing of a vote by the Commons, after a debate of three days and a night, "that his Majesty's concessions to the propositions of the Parliament upon the treaty are sufficient grounds for settling the peace of the kingdom." Two hundred and twelve members voted, and the majority was forty-six.

Second march of the army to London Dec. 1.

Dec. 5.

The next morning the members, on the way to their places, found themselves confronted by a regiment of horse and a regiment of foot, drawn up in Palace Yard, the latter under the command of Colonel Pride, whose name remains attached to the transaction. Forty-one members of the majority were stopped and turned back; many others had received intelligence of what was going on, and did not present themselves; more than a hundred places remained vacant in the expurgated House. Cromwell arrived from the North on the evening of the same day.

Pride's Purge. Dec. 6.

Opposition was over, and events might now follow each other rapidly, as the will of the dominant party should give them shape. The House raised a committee of thirty-eight members to draw up charges against the King, who on the same day was brought to Windsor under a military escort. On receiving the committee's report, the House constituted a *High Court of Justice* to try him for high treason. A refusal by the Lords to concur was met by unanimous votes, — 1. that "the people, under God, are the original of all just power; 2. that the Commons of England assembled in Parliament, being chosen by and representing the people, have the supreme authority of this nation; 3. that whatsoever is enacted

Dec. 23.

High Court of Justice. 1649. Jan. 1.

Jan. 2.

and declared for law, by the Commons in Parliament, hath the force of law, and all the people of this nation are included thereby, although the consent and concurrence of the King and House of Peers be not had thereunto."

The Ordinance constituting the High Court of Justice provided that it should consist of a hundred and thirty-three members; but only sixty-six took their seats. The first two names on the list were those of Fairfax and Cromwell; but Fairfax had now compunctious visitings, and never appeared after the first session. Arraigned in Westminster Hall before this tribunal, the King on three successive days[1] protested against its authority. Two days were then passed in an examination of witnesses, some of whom swore that they had seen him "in the field, in several fights, with his sword drawn." After an interval of another day he was brought into the court, and listened to his sentence to suffer death by beheading. It was executed on the third following day in front of the royal palace of Whitehall. Proclamation was made that it would be treason to proclaim another King. By what remained of the Lower House, "the House of Peers in Parliament" was voted to be "useless and dangerous."[2] The ancient monarchy and peerage of England were among the things that had been.

Jan. 20, 22, 23.

The King condemned and beheaded.

Jan. 27.

Jan. 30.

Feb. 6.

[1] A Sunday (January 21) followed the day of the arraignment. (Whitelocke, 368.)

[2] Journal of the Commons, VI. 132; Parliamentary History, III. 1284.

CHAPTER III.

First meeting of the Federal Commissioners. 1643. Sept. 7.

THE first year of the civil war in England had just expired, when the Commissioners of the Confederacy of New England came together at Boston for their first conference. All of them were men held in distinguished estimation at their respective homes. Plymouth was represented by Edward Winslow and William Collier; Massachusetts, by John Winthrop and Thomas Dudley; Connecticut, by George Fenwick and Edward Hopkins; and New Haven, by Theophilus Eaton and Thomas Gregson. Their credentials having been mutually exhibited, Winthrop was chosen to preside. The Commissioners gave their consent to the incorporation of Milford into the Colony of New Haven, and of Southampton into the Colony of Connecticut.[1] They then proceeded to deliberate on a question that had arisen from some movements of the two principal nations of neighboring Indians.

The Narragansett and Mohegan Indians.

After the overthrow of the Pequots, the Narragansetts were the most powerful of the native tribes of southern New England; and next to them in numbers and strength were the Mohegans, whose hunting-grounds lay at the west, towards the river Connecticut. The Narragansett chiefs, Canonicus and his nephew Miantonomo, had afforded some feeble aid in the war against the Pequots; and their relations with the colonists cannot be said to have been as yet unfriendly, though at an early period the former had sent a threat-

[1] Records of the United Colonies, in Hazard, II. 7.

ening message to Plymouth,[1] and from time to time equivocal conduct on the part of his people had caused Miantonomo to be summoned to Boston to make explanations to the Magistrates.[2] Roger Williams, now unfortunately absent in Europe, had obtained some influence over the minds of both, and there had been an interchange of friendly offices between them and the English settlers on Narragansett Bay. Uncas, the Mohegan sachem, was on like amicable terms with the planters on Connecticut River. He had rendered them useful aid in the Pequot war; and both from gratitude and from policy they had cultivated his good-will.

Jealous of each other's power, and irritated by the frequent collisions occurring on their ill-defined borders after the Pequot wall of separation was broken down, the Narragansett and Mohegan tribes were always on the verge of conflict. A policy too frequently pursued would have led the English to encourage these passions in the rivals, and to allow them to prepare themselves for a common ruin, by exhausting each other in mutual strife. But more generous considerations prevailed, and by the mediation of Connecticut they had been brought to agree to make no war upon each other without the consent of the colonists.[3]

Hostile designs of the Narragansetts. 1640. June.

Miantonomo had long been suspected of unfriendly designs. Plymouth and Connecticut early took alarm at a report of negotiations of his with the Mohawks for a joint invasion of the settlements; and corroborating circumstances communicated the uneasiness to Massachusetts. In a conference with messengers from this Colony, Miantonomo made disavowals which gave only partial satisfaction;[4] and in a

[1] See Vol. I. 196.

[2] Winthrop, I. 198, 199, II. 15, 16, 80–82.

[3] Records of the United Colonies, in Hazard, II. 8; comp. Hypocrisie Unmasked, 71.

[4] Winthrop, II. 8; comp. R. I. Rec. I. 110.

subsequent interview of the Governor with him at Boston there was little cordiality on either side.[1]

November. Two years more had passed of suspicious amity, when intelligence was brought to Boston from Connecticut and New Haven that Miantonomo had

1642. Sept. 1. planned a general massacre of the English, to take place after the harvest. Mr. Eaton, Mr. Ludlow, and Mr. Haynes had each received disclosures of the plot from friendly Indians who were unknown to one another.[2] During the same time, — as the English learned from what they considered trustworthy sources, — repeated attempts to assassinate Uncas, by ambuscade and by poison, had been made at the instigation of his rival.[3]

Connecticut and New Haven would have immediately gone to war. They proposed that Massachusetts should raise a hundred men, to be joined by a proportionate number of their own people.[4] But that Colony, less exposed and more calm, held back from so critical a step. In a General Court, which was promptly

Sept. 8. convened, the uncertainties and the certain sacrifices of a conflict were pondered; the proof of an Indian conspiracy was not found to be indubitable; and "if" — so they argued — "we should kill any of them, or lose any of our own, and it should be found after to have been a false report, we might provoke God's displeasure, and blemish our wisdom and integrity before the hea-

[1] Winthrop, II. 15, 16.

[2] Ibid., 78, 79. — Lion Gardener had similar information. (Relation of the Pequot Wars, in Mass. Hist. Col., XXIII. 153 – 155.) So had the Dutch at New Amsterdam. "Miantenimo, principal Sachem of Sloops Bay, came here with one hundred men, passing through all the Indian villages, soliciting them to a general war against both the English and the Dutch." (Documentary History of New York, IV. 6. This extract is from a "Journal of New Netherland" for the years 1641 – 1646, "a fragment of a Dutch manuscript, found in the Royal Library at the Hague.") — It may have been to avert from himself the suspicion of complicity with the Narragansetts, that the Sachem of the Pokanoketts made a pompous visit this summer to Boston. (Winthrop, II. 72.)

[3] Records, &c., in Hazard, II. 8, 9.

[4] Winthrop, II. 79.

then." Another topic of the deliberation is not to be overlooked. "Lastly, it was considered that such as were to be sent out on such an expedition were for the most part godly, and would be as well assured of the justice of the war as the warrant of their call, and then we should not fear their forwardness and courage; but, if they should be sent out not well resolved, we might fear the success."[1]

Accordingly, while letters were addressed to Connecticut remonstrating against immediate hostilities, John Leverett and Edward Hutchinson were sent to acquaint Miantonomo with the charges against him, and to invite him to Boston to make his vindication.[2] In due time he presented himself to the Governor, attended by two or three of his counsellors, whom he always kept at hand as witnesses, and by a few other Indians dwelling nearer to the town. He asked to be confronted with his accusers,[3] and denied the imputed conspiracy, alleging it

[1] Winthrop, II. 80. — The quoted passage suggests a remark which may appear premature in this place, but may be borne in mind for future verification. Sooner and later, the people of New England have been summoned to not a little military service, and they have performed it generally with becoming determination, not seldom with desperate valor. But they have done it as a duty, not for glorification. I know not that a trace can be found of the foolish and mischievous vocabulary of "martial glory," "renown in arms," and the like, in all the narratives or correspondence of their wars. When, from time to time, they have beat their enemies, it has been because that proceeding was required by some definite obligation. But to be attracted to fighting by ambition for fame has been no weakness of that people. From the storming of the Indian fort on the Mystic to the storming of Lord Cornwallis's lines at Yorktown, they have no more recognized it as a stimulus to their duty in the field of battle, than to their duty in the mowing-field, or in the house of worship.

"Habet ipsa suos heroas alitque
Religio; sed enim stimulis melioribus illos
Exacuit, quam spes incertæ laudis, et auri
Exitiosa fames, ac turbidus ardor honorum."
Anti-Lucretius, Lib. I.

[2] Mass. Rec., II. 23.

[3] "We answered, we knew them not, nor were they within our power." (Winthrop, II. 82.) — The Indian who made the disclosure to Mr. Ludlow first obtained "a promise that his name might be concealed, for, if he was known, it would cost him his life." His revelation was extremely circumstantial, and accorded remarkably, as well in particulars as in the general, with equally precise information brought to Mr. Eaton at New Haven and to Mr.

to be a calumny of Uncas. The magistrates "spent the better part of two days in treating with him, and in conclusion he did accommodate himself to them to their satisfaction." He had scarcely been dismissed, when still more urgent letters came from Connecticut, insisting on the reality of the plot and the immediate necessity of counteraction; and others from Plymouth, communicating intelligence received there to the same effect. On his way home, Miantonomo killed one of his attendants, whom, for participation in the attempts to assassinate Uncas, he had promised to surrender to that chief. This was interpreted as a precaution on his part against further discoveries. But the Massachusetts Magistrates, on consultation, resolved not to recede from the ground which they had taken, and reiterated their advice to the western settlements to practise longer forbearance.[1]

A further occasion of disquiet was presented by a connection which Miantonomo now formed with some disaffected English borderers. One of the numerous quarrels in the Narragansett plantations had taken place a year before at Providence. A portion of the associates of Roger Williams had established themselves on the west side of the bay, north of the river Pawtuxet. Here they found themselves so incommoded by some lawless persons who sat down among them, that, for want of any nearer authority competent to give them redress, they were fain to apply themselves to that of Massachusetts Bay. In a petition to the Magistrates of that Colony, they professed to give "true intelligence of the insolent and riotous carriages of Samuel Gorton and his company, which came from the island of Aquetnet,

Disorders of Samuel Gorton and others at Providence.

Application to Massachusetts for protection against them. 1641. Nov. 17.

Haynes at Hartford, from sources independent of each other. (A True Relation of a Conspiracy of Miantonomo," &c., in Mass. Hist. Coll., XXIII. 161. This anonymous tract was probably written in August, 1642.)

[1] Winthrop, II. 81 – 83; Records, &c., in Hazard, II. 9.

together with John Greene and Francis Weston." These persons, they alleged, were combined with others "against the fairest and most just and honest ways of proceeding in order and government that we could rightly and truly use for the peaceable preservation and quiet subsistence of ourselves and families, or any that should have fair occasion to go out or come in amongst us;" and by their "writings, words, and actions" showed a design "to have no manner of honest order or government, either over them or amongst them." The petitioners sustained their complaint by the recital of particular acts of disorder and violence; and they concluded by entreating the Massachusetts people, "of gentle courtesy, and for the preservation of humanity and mankind, to consider their condition, and lend them a neighborlike helping hand, and send assistance to help them and ease them of their burden." The petition was signed by thirteen persons.[1] The General Court not being together, the Magistrates replied. "We told them," writes Winthrop, "that except they did submit themselves to some jurisdiction, either Plymouth's or ours, we had no calling or warrant to interpose in their contentions; but if they were once subject to any, then they had a calling to protect them."[2]

Of four disturbers complained of by name in the petition, three were afterwards especially conspicuous in a long series of events. Randall Holden had been one of

[1] It is in Mass. Hist. Coll., XXI. 2; R. I. Hist. Coll., II. 191. — William Arnold, of Providence, wrote, May 25, 1642: "I do not only approve of what my neighbors before me have written, ... but this much I say, that it is also evident, and may easily be proved, that the said Gorton nor his company are not fit persons to be received in and made members of such a body in so weak a state as our town is in at present." "There is no state but in the first place will seek to preserve its own safety and peace." (Letter "to the rest of the Five Men," in Hypocrisie Unmasked, 59, 61.) — It is well worth remarking how honestly and undoubtingly, in this elaborate paper, the same considerations which had influenced the Massachusetts Magistrates to send Williams away, are urged by Arnold, one of his early associates (R. I. Rec., I. 22), in the case of Gorton.

[2] Winthrop, II. 59.

the original confederates with Coddington, and then one of those who helped to displace him from the government at Portsmouth.[1] He had been appointed successively Corporal and Marshal, "reunited to the body" at the coalition of the towns, and finally disfranchised and disarmed.[2] It must have been about the time of these censures, that he followed his friend Samuel Gorton from Portsmouth to Providence. John Greene, said to have been previously a surgeon at Salisbury in England, had been at Providence almost from its beginning.[3] Soon after taking up his residence there, he made a visit to Boston, where he was fined twenty pounds, and "enjoined not to come into the jurisdiction, for speaking contemptuously of the Magistrates."[4]

1642. March.

1637. Sept. 19.

Gorton, previously a clothier in London, had come to Boston during the Antinomian controversy,[5] and thence, after a short time, removed to Plymouth. At that place he found a home with the minister, Mr. Smith, and before long attracted notice by a dispute with his host, originating, as Gorton supposed, in the preference of Smith's wife for Gorton's prayers over those of her husband.[6] Whatever may have been its cause, its consequence was that Smith repented of his hospitality, and ordered him out of the house, which

Earlier history of Gorton.

1636.

[1] See Vol. I. 514.

[2] R. I. Rec., I. 46, 47, 52, 56, 60, 100, 119, 123.

[3] Ibid., 22.

[4] Mass. Rec., I. 203. On his submission, the fine was remitted; but he no sooner got back to Providence, than he wrote a letter to the General Court, retracting his apology. (Ibid., 224; Winthrop, I. 256.)

[5] Simplicitie's Defence against Seven-Headed Policy, &c., 2, 3. "And continued awhile in our town," says Cotton (Bloody Tenent, &c., Appendix, 5), "till a reverend minister in London, Mr. Walker, sent over directions to some friends to demand an hundred pound debt of him, which he having borrowed it of a citizen, the citizen bequeathed it to some good use, whereof Mr. Walker was called to some trust. But then Mr. Gorton departed out of this jurisdiction to Plymouth." Representations of this kind, however, against a man so troublesome and odious in his day, are not to be taken *à la rigueur*.

[6] Letter of Gorton to Nathaniel Morton in Force's Tracts and Other Papers, IV. (vii.) 7. A very imperfect copy of this letter is in Hutchinson, I. 467, and in R. I. Hist. Coll., II. 246.

Gorton refused to leave, insisting that he was not a guest, but a lessee. The court thought otherwise; and, at the same time that this question went against him, he compelled them to take up other matter. In court, he called the Assistant, who was examining him, *Satan*, and bade him "come down from Jehoshuah's right hand;" and, on the whole, "carried so mutinously and seditiously, as that he was, for the same, and for his turbulent carriages towards both magistrates and ministers in the presence of the court, sentenced to find sureties for his good behavior during the time he should stay in the jurisdiction, which was limited to fourteen days, and also amerced to pay a considerable fine."[1] This was a strong measure for the usually long-suffering Colony of Plymouth. 1638. Dec. 4.

After some wanderings unexplained in his narrative,[2] he appeared in the new settlement at the north end of Rhode Island, where he immediately took a part in the movement for the deposition of Coddington,[3] and where, notwithstanding the local theory of the largest freedom of speech and action, he managed before long to get himself punished by whipping.[4] 1639. April. 1640 or 1641.

[1] Morton, Memorial, 203; comp. Plym. Rec., I. 100, 105, 106. — Winslow (Hypocrisie Unmasked, 66 – 68) tells the story of Gorton's behavior in full. As to the fine, he says, "Being but poor and low in his estate, we took not above eight or ten pounds of it, lest it might lie too heavy upon his wife and children."

[2] In this part of his story, as too commonly elsewhere, Gorton uses a remarkable looseness of statement. The confiding reader imagines that repeated "confinements, imprisonments, chains, whippings, and banishment out of their jurisdictions," were already accumulated in the hardship of his lot. (Simplicitie's Defence, pp. 3, 4.) He says nothing here of his having been at Plymouth between his coming to Boston and his residence in Rhode Island.

[3] R. I. Rec., I. 70.

[4] "Lately [after the union between Newport and Portsmouth] they whipped one Master Gorton, a grave man, for denying their power, and abusing some of their magistrates with uncivil terms, the Governor, Master Coddington, saying in court, 'You that are for the King, lay hold on Gorton;' and he again on the other side called forth, 'All you that are for the King, lay hold on Coddington.'" (Lechford, Plaine Dealing, 41; comp. Hypocrisie Unmasked, 54, 55.) The mode of punishment has

Next he betook himself to Providence,[1] where, after making himself a nuisance to Williams and his friends,[2] he helped in fomenting the disorders which occasioned the appeal to Massachusetts that has been mentioned.

The cautious answer to that appeal having done nothing towards mending affairs, the aggrieved residents resolved on the same step, which, under similar circumstances, had not long before been taken by the New Hampshire towns.[3] "Upon their petition," they were "taken under the government and protection" of Massachusetts; four of their num-

Surrender of Pawtuxet to Massachusetts. 1642. Sept. 8.

been vehemently denied by Gorton's champions, as if, when undeserved, dishonor could attach to the whipping-post, any more than to the scaffold; but his letter to Morton (Force's Tracts, IV. (vii.) 8) confirms the common authorities in this particular; and the narrative (probably by Winslow) which is preserved in a manuscript lately published by Mr. Deane (Some Notices of Samuel Gorton, &c., 27) amounts to the same as Lechford's. "Rhode Island, at that time," Gorton said, "had no authority legally derived to deal with me, ... and I thought myself as fit and able to govern myself and family as any that were then upon Rhode Island." (Letter to Morton, in Force, IV. (vii.) 8.)

[1] "There was one Robert Coles and John Greene, who were two of the thirteen purchasers of Pawtuxet lands. Robert Coles, being a favorite of Gorton's, gave him half of his undivided lands at Pawtuxet, and John Greene, one of his chief proselytes, gave Gorton half of his divided lands at Pawtuxet." (Narrative in Deane, "Notices," &c., 35.) Pawtuxet was still a part of Providence. Coles soon changed his sentiments towards Gorton, and became one of the suitors to Massachusetts.

[2] From Providence Williams wrote to Winthrop, March 8, 1641, as follows (Hypocrisie Unmasked, 55): — "Master Gorton, having foully abused high and low at Aquidnick, is now bewitching and bemadding poor Providence, both with his unclean and foul censures of all the ministers of this country (for which myself have in Christ's name withstood him), and also denying all visible and external ordinances in depth of Familism, against which I have a little disputed and written, and shall (the Most High assisting) to death. As Paul said of Asia, I of Providence; (almost) all suck in his poison, as at first they did at Aquidnick. Some few and myself withstand his inhabitation and town-privileges, without confession and reformation of his uncivil and inhumane practices at Portsmouth. Yet the tide is too strong against us, and I fear (if the Framer of Hearts help not) it will force me to little Patience, a little isle next to your Prudence. Jehovah himself be pleased to be a sanctuary to all whose hearts are perfect with him."

The reader finds himself wondering whether the slender growth on Narragansett Bay could have lived through these spring-storms, without the shelter lent by the more steady, though much berated Massachusetts.

[3] See Vol. I. 592, 593.

ber were designated "to keep the peace in their lands;"[1] and the Magistrates sent a notice to Gorton's party that the earlier inhabitants, having placed themselves under the jurisdiction of Massachusetts, were to be maintained by her "in their lawful rights," and that the new-comers must desist from violent proceedings, and might try any claim of theirs in her courts, where they were assured of having "equal justice."[2] This was a month after that visit of Miantonomo to Boston, which was last mentioned. Oct. 28.

Gorton's party sent a long answer[3] to the commu-

[1] Mass. Rec., II. 26, 27; comp. Winthrop, II. 84.

[2] Simplicitie's Defence against Seven-Headed Policy, 6.

[3] It covers twenty quarto pages of "Simplicitie's Defence." (9–31; comp. Hypocrisie Unmasked, 9–27.) Supposing its sole aim to be to exasperate, it could not have been better executed for that purpose. — Of the twelve persons whose names are subscribed, Gorton, Greene, and Holden have already been particularly mentioned. — John Weeks was in Plymouth in 1637 (Morton, Memorial, 202), and probably with Gorton, whom at that place he had befriended, came to Rhode Island, where we find him in April, 1639, in the party of the Hutchinsons. (R. I. Rec., I. 70.) Before 1643 he had been sent away from the island. (Ibid., 123.) — John Warner, who had been among the earliest at Providence, and much esteemed and trusted there (R. I. Rec., I. 14, 24, 27), afterwards fell under the displeasure of his friends at Warwick for various misdemeanors; among others, "for calling the whole town rogues and thieves;" for "threatening the lives of men;" for "threatening to kill all the mares of the town;" for "threatening an officer of the Colony in open court, that, if he had him elsewhere, he would beat out his brains." (Staples in R. I. Hist. Coll., II. 55.) *Ingenium perfervidum!* — Robert Potter, in 1634, was in Massachusetts (Mass. Rec., I. 369), where, in 1638, he fell under censure (Ibid., 224, 229), and in April of the next year we find him in Hutchinson's party on Rhode Island. (R. I. Rec., I. 70.) — Richard Carder was in Massachusetts in 1636 (Mass. Rec., I. 372), and was among the Boston men disarmed in 1637. (Ibid., 212.) He was a member of the original company on Rhode Island (R. I. Rec., I. 52), and sided with Hutchinson at the division. (Ibid., 100.) Potter, Carder, and Sampson Shotton (of whom nothing is known previous to his appearance as one of the anti-Coddington party in 1639) had been disfranchised and disarmed at Newport at the same time with Holden. (R. I. Rec., I. 111.) — Richard Waterman, who had been at Salem as early as 1629, in which year he was sent out by the Company in England to the settlers "to get them good venison" (Mass. Rec., I. 394), was one of the Antinomians who went away in 1638 (Ibid., 233) to Williams's settlement at Providence, where he had before secured a grant of land. (R. I. Rec., I. 15, 17; comp. 20, 24.) — Francis Weston (one of the four persons mentioned in

nication from Massachusetts, composed in the most elaborate style of insulting invective and menace. It must have satisfied the Magistrates that, if they did not abandon the purpose they had announced, their authority would have to be asserted by ungentle means; nor, especially, could they have overlooked intimations which were given of hope of support from the other side of the water.[1] The writers, judging it not prudent to await, so near at hand, the rebound of their defiance, removed to the southern side of the river Pawtuxet, where, at a place called Shawomet, they bought lands of Miantonomo.[2]

Nov. 20.

Sale of lands at Shawomet by Miantonomo to Gorton. 1643. Jan. 12.

the complaint to Massachusetts) was also an Antinomian of Salem (Mass. Rec., I. 223), from which town he had been one of the two earliest Deputies (Ibid., 117), and a committee-man on the subject of the defacing of the colors by Endicott. (Ibid., 145.) He was one of the earliest grantees of land at Providence. (R. I. Rec., I. 15, 17, 24.) — William Waddell was another of the Boston Antinomians disarmed in 1637. (Mass. Rec., I. 212.) — Of Nicholas Power I know nothing of earlier date than his signature to the reply to Massachusetts, in November, 1642.

[1] Simplicitie's Defence, 62, 80.

[2] My learned and sagacious friend, the editor of Winthrop's Journal, thinks that this sale of lands to Gorton was the great cause of the displeasure of Massachusetts against Miantonomo. (Winthrop, II. 133, 134.) To me it is quite clear that the objection to Gorton's occupation of the lands, apart from its injustice to the native owners, arose from his being regarded as the formidable tool or prompter of the Indian chief. Winthrop, it is true, (II. 84, comp. 59,) assigns as one of the reasons for accepting the submission of Arnold and his friends, that it was "partly to draw in the rest in those parts, either under ourselves or Plymouth, who now lived under no government, but grew very offensive, and the place was likely to be of use to us." But when the Massachusetts Magistrates, desirous of quiet, proposed to the vexed persons a surrender to some well-regulated adjacent Colony, they mentioned that of Plymouth as promptly as their own. They desired to turn over the place to Plymouth, if Plymouth would but engage to keep it in order. (Winthrop, II. 59; comp. Hazard, II. 200.) An extreme greed of territory in that quarter is scarcely to be laid to their charge by one who remembers that they took no steps towards indulging it when they became able to do so under what might be esteemed the highest sanction of English law. In the year after the transactions above related, Massachusetts received from the Parliamentary Commissioners for the Colonies a grant of the unoccupied country about Narragansett Bay, which was perhaps capable of being interpreted so as to include even the plantations of Coddington and Williams. The General Court sent notice of it, and of their right under it, to Williams. (Mass.

The right of Miantonomo to dispose of the tract then came into question. Pomham, a petty chief whose followers dwelt upon it, insisted that it was his alone, denying that claim of Miantonomo to sovereignty over him, on which depended the validity of the sale. Accompanied by Sacononoco, another Sachem of Pawtuxet, who for himself made the same pretension of independence, he came to Boston, where both chiefs offered to submit themselves and their lands to the government of Massachusetts, and solicited its protection against the intruders.[1] Their interpreter was Benedict Arnold, of Providence, one of the recent petitioners to Massachusetts for protection against the misconduct of Gorton and his companions. May.

Whether the head of the Narragansett tribe had any rights over these petty chiefs, or, especially, whether he had such rights as authorized him to alienate their lands, was a question which now there are not so good means of solving as there were when these circumstances presented it for the consideration of Massachusetts. It was her policy, determined alike by duty and by interest, to protect the Indians in their property; for overreaching on the part of any of the white race would provoke an undiscriminating resentment towards all.[2] She believed the alleged purchase to be a fraud upon the rightful proprietors; and she became satisfied that it was so, after a deliberate investigation of the

Rec., III. 49; R. I. Rec., I. 133.) But no further proceeding was had. The sole object of Massachusetts in giving the notice seems to have been to keep her rights safe, in case of any necessity for using them by reason of intolerable disturbances. The patent, dated December 10th, 1643, is in the Massachusetts archives (LXXXVII. 135). It is signed by the Earl of Warwick, and eight other Commissioners. By the Ordinance of Parliament, four signatures, besides those of the Earl, would have been enough to give it validity. (Hazard, I. 534.)

[1] Winthrop, II. 120; Mass. Rec., II. 38, 40; Hypocrisie Unmasked, 2. — Pomham had signed the deed of sale; but he persisted that he had done so under compulsion and fear, as well as under the promise of a payment which had not been made.

[2] Hypocrisie Unmasked, 69, 70.

question, when the chiefs who averred that they had suffered wrong appealed to her for redress. A letter was written "to Gorton and his company, to let them know what the sachems had complained of, and how they had tendered themselves to come under the jurisdiction of Massachusetts, and therefore, if they had anything to allege against it, they should come or send to the next Court." But to this no reply was made. Miantonomo was sent for to Boston, and "being demanded, in open Court, before divers of his own men and other Indians, whether he had any interest in the said two sachems as his subjects, he could prove none." The arrangement of Massachusetts with the sachems for accepting their allegiance was then concluded.

Submission of the sachems of Shawomet to Massachusetts.

June 22.

The next month brought unwelcome tidings from the Indian country. Whether it was, that Miantonomo had returned from Boston angry with himself at what he might consider the degradation of his questioning there; or that he was provoked into a sudden movement by a retaliation of Uncas for the murder of one of his chiefs;[1] or that he had been contemplating an assault upon the rival tribe, as the first step towards the execution of that design against the English which so pertinaciously he had disclaimed; — whether it was that rage or calculation made him break his engagement, he suddenly moved towards Uncas with a force of nine hundred or a thousand warriors.[2] His enemy had but half the number. Uncas, advancing before his men, proposed to the invader to spare bloodshed by leaving their quarrel to the issue of a private combat, with the condition that the followers of the beaten party should become subjects of the conqueror.

War of Miantonomo against Uncas.

July.

[1] Winthrop, II. 128 – 130.

[2] So say Winthrop (II. 131), Bradford (424), Winslow (Hypocrisie Unmasked, 72), and the Record of the Commissioners (Hazard, II. 9). Miss Caulkins (History of Norwich, 15) argues forcibly that the party could not have been composed of more than five or six hundred warriors.

Miantonomo replied, "My men have come to fight, and they shall fight."[1] Uncas fell upon his face. His people, at that signal, instantly discharged their arrows over him, and then rushed upon the unready foe.

The battle took place near what is now the beautiful town of Norwich. The victory of the Mohegans was speedy and complete, though — so inefficient was Indian field-warfare — only thirty Narragansetts were killed. Miantonomo, encumbered in his flight by some "armor," was dragged by two of his own captains to Uncas,[2] who, with a sense of their treachery different from what they expected, laid them dead at his feet. The proud captive sat down, silent and motionless. Uncas said, "Had you taken me, I should have besought you for my life;" but could obtain no answer.[3] Miantonomo was conducted to Hartford, where, at his own request, he was left in the custody of the English; but as the prisoner of Uncas, to be disposed of by him according to the advice of the Commissioners. Gorton and his company interested themselves to obtain the liberation of their friend, but without avail.[4]

His defeat.

These important transactions claimed the consideration of the central government of the Confederacy at its first meeting. Whatever were the new proofs now produced, their import was such that the Commissioners — and among them Winthrop, who had been perseveringly averse to such a conclusion — considered it to be "clearly discovered that there was a general conspiracy among the Indians to cut

Deliberation and sentence of the Commissioners.

Sept. 7.

[1] Trumbull, I. 131.

[2] Winthrop, II. 131.

[3] Trumbull, I. 132.

[4] Gorton and his friends sent a message to Uncas, threatening him with the vengeance of the English, if he refused to liberate his prisoner. (Winthrop, II. 131.) Winthrop added, "and they sent their letter in the name of the Governor of Massachusetts;" but he subsequently erased the clause. He says (ibid.) that it was this letter that occasioned Uncas to consult the Commissioners respecting the fate of Miantonomo. (Comp. Hypocrisie Unmasked, 73.)

off all the English, and that Miantonomo was the head and contriver of it."[1] But there was another party interested in their consultation, with a claim for justice and security which had precedence of their own. "Leaving these considerations," which "to the English might have been sufficient provocations to a war" against the Narragansett chief, — a war which would have involved the slaughter of his subjects, — they proceeded to take up the precise business in hand. This was the giving of counsel to Uncas, who had solicited it from them, "how to proceed against" his captive "for sundry treacherous attempts against his life;" the last of them "a sudden invasion without denouncing war."[2]

They were to advise their ally how to deal with his implacable foe, made implacable, as it seemed, by the steadfastness of the adherence of Uncas to themselves.[3] Miantonomo was not their prisoner, but the prisoner of Uncas, taken by his hand in a war in which they had not assisted. Experience had brought them to the confident opinion that their friend's life was not safe while his enemy lived. They found it "sufficiently evidenced that Miantonomo and his confederates had sundry ways manifested their enmity, and treacherously plotted and practised against the life of Uncas," and that the last cowardly attack was only one of a series of acts of insatiable hatred. By the laws of Indian warfare, the captive's life

[1] Winthrop, II. 133. Comp. Records, &c., in Hazard, II. 8.

[2] Records, &c., in Hazard, II. 7, 8.

[3] Miantonomo, before his attack on Uncas, had sent to Boston to complain of him, and the "Governor answered, if Uncas had done him or his friends wrong, and would not give satisfaction, we should leave him to take his own course." (Winthrop, II. 129.) I cannot understand how this should have been interpreted, as it has been, as Winthrop's permission to Miantonomo to take his remedy into his own hands. The engagement with the English had been, that neither sachem should make war on the other without their consent; and I can read the Governor's words no otherwise than as meaning that, when they should find Uncas in the wrong, and unwilling to give satisfaction, they would yield that consent. But the case never arose. Miantonomo's precipitancy did not ask, and could not await, the investigation. (Hazard, II. 8.)

was forfeit. It was the stake for which savages played at that game, and which Miantonomo knew himself to be hazarding upon the cast which he made. And now, appealed to for counsel by one whose right, according to the dismal usages of his race, was perfect, the Commissioners had the responsibility of deciding, whether, when an extraordinary good fortune had given him a temporary escape from a perfidious attack, they should recommend to him to forego that right, and throw himself back into the same danger, — a danger from which, as had just been proved, he could not be adequately protected by an engagement of Miantonomo with themselves. "These things being duly weighed and considered," their conclusion, confirmed by the unanimous advice of "five of the most judicious Elders," was this: "The Commissioners apparently see that Uncas cannot be safe while Miantonomo lives, but that either by secret treachery or open force his life will be still in danger. Wherefore they think he may justly put such a false and bloodthirsty enemy to death, but in his own jurisdiction, not in the English plantations, and advising that, in the manner of his death, all moderation and mercy be showed, contrary to the manner of the Indians, who exercise tortures and cruelty."[1] Anticipating the effect which might be produced on the Narragansetts by this treatment of their chief, they sent a message at once of warning and of conciliation to that tribe;[2] and they recommended to the several Colonies to make diligent military preparations by training their men and providing ammunition.[3] The

[1] Records, &c., in Hazard, II. 9, 13; comp. Winthrop, II. 132.

[2] Records, &c., in Hazard, 11, 12.

[3] Ibid., 9, 10. — On account of intelligence, almost a year before Miantonomo's onset upon Uncas, "of a general conspiracy intended by the natives to cut off all the English in this land," (Plym. Rec., II 47,) a general training of troops and supply of arms had been ordered. Watch and ward had been kept in the villages by day and night, and parties travelled with convoys. The reader who would judge of the reality of the alarm from the extent of the precautions, will do well to refer

Connecticut Commissioners, returning from Boston, made known this result. Uncas, accompanied by some of his people, and by two Englishmen, whose business it was to protect the prisoner from torture or other outrage,[1] led him forth from Hartford, and as they went the brother of Uncas struck him dead with a hatchet by a blow on the back of his head. A block of granite in the town of Norwich, inscribed with his name, marks the spot where, according to the local tradition, he had been taken by Uncas, and where he fell.[2]

Execution of Miantonomo

to the record of the public proceedings in all the Colonies. (Plym. Rec., II. 45 – 48; Mass. Rec., II. 24 – 27; Conn. Rec., I. 73 – 75; N. H. Rec., I. 76, 78, 79.) The intense uneasiness of the Connecticut people has sent its echo down in Trumbull's account of these transactions. (History, I. 129, &c.) The Commissioners had intelligence that a force of Mohawks had approached near to the English border, and were awaiting Miantonomo's release to prosecute with him their further plans. (Records, &c., in Hazard, II. 9.) They were also informed of a scheme of some Narragansetts to capture one of themselves, to be kept as a hostage for the sachem. (Trumbull, I. 134; comp. Johnson, Wonder-Working Providence, 182 *et seq.*, and "Declaration of Former Passages and Proceedings," &c., in Hazard, II. 45 *et seq.*)

[1] Hypocrisie Unmasked, 73.

[2] The tradition, however, is of doubtful authority. Winthrop says (II. 135) that Miantonomo was struck "between Hartford and Windsor." Winslow had received a still different account: "Miantonomo . . . . . was put to death in a house, and not upon a march. . . . . It was only at one blow with a hatchet on the side of the head, as he walked easily in the room, expecting no less." (Hypocrisie Unmasked, 73, 80.)

The recital of such a proceeding is painful. The destruction of even a single human life is a deplorable expedient. Compassion for the sufferer is a commendable as well as amiable sentiment. But justice to those by whom he suffers has its claims no less; and it is remarkable, that the same reader of American history who severely blames the New-England fathers for severely repressing a threatened insurrection before it was ripe for mischief, is apt, when he turns the page, to find himself wondering at the stupidity of the Virginians in not taking like precautions against the savage massacre, which, a few months after this transaction, depopulated their settlements; or is fain to regret, while he contemplates the dreadful misery of Philip's war, forty years later, that Philip's enterprise had not been mercifully arrested by a seasonable vigor.

It is hard to imagine that the men who had in charge the safety of these infant communities were prompted by a wayward ill-will towards one who had formerly seemed their friend, or felt urged by any motive to desire his ruin, independent of, or disproportionate to, their conviction that he was endeavoring to compass the ruin of their families and homes. They profess themselves to have been satisfied by the evidence, which some of them, at least, had approached with pertinacious caution,

The General Court of Massachusetts was in session at the same time as the Federal Commissioners. There might be an outbreak of the Narragansetts at any mo-

that the energetic head of a powerful tribe of savages had been long busy in maturing a conspiracy, which, should it break out at a favorable time, would imminently peril their existence, and at best could only be subdued by the shedding of much blood on both sides. Miantonomo, the Narragansett, was not to be allowed by them to repeat, on a larger theatre, the part of Sassacus the Pequot, and to be discomfited — if discomfited he should be — at such heavy cost to his miserable followers. Assurances of his peaceable dispositions, which at first they had gladly trusted, had in their judgment been subsequently so fully discredited, as to make it appear that no safe reliance could be placed on any professions or pledges of his for the future. Their sense of the alarming exigency is made manifest by their costly and annoying military preparations. The record of the deliberations which conducted to the hard result, bears its own complete evidence of integrity and calmness. And there is no way so reasonable of accounting for the persuasion of existing danger in this instance, as the supposition of its good foundation in fact. "Barbarian craft, which says one thing and does another, will always furnish arguments for distant advocates. But it is only upon the spot, that the real significance of events can be judged; and the uprightness of the commander must often be the guaranty for the integrity of his conduct." (Quarterly Review, CIV. 478.) If, with such circumstances, the career of the Hindu, Nena Sahib, had been brought to a close five years ago, no one can tell how voluminously the English Muse would have bewailed his fate, and rebuked "the deep damnation of his taking off."

Instead of taking upon themselves the execution of the conspirator, the Commissioners intrusted it to his savage foe, using care, at the same time, that it should be free from any accompaniments of savage cruelty. In this there was no sentimental affectation, and no symptom of distrust of the justice of their decree. The Narragansett chief was the prize of Uncas, who had but applied for their judgment and advice to authorize his exaction of the penalty to which Indian usages subjected even such captives as had neither been guilty of extraordinary treachery, nor were peculiarly feared. Further, the killing of the Indian chief by his captor, according, as it did, with the usages of Indian warfare, was no affront to his tribe. If he had been put to death by the English, who had not taken him in war, it would have more touched their point of honor, and provoked a keener resentment.

The advice of the five ministers of religion to put Miantonomo to death has been thought to add a painful feature to the transaction. But certainly, if the act was not approved by Christian morality, it should not have been done at all; if it was approved by Christian morality, it was fit to be advised by Christian ministers. And when wolves are prowling about the flock for a chance to gorge themselves, who so bound to be watchful as the shepherds? The religious guides of the settlers in New England were accustomed and were expected to speak their minds, and take their full share of the responsibilities of the time. The guardians of that fold were no "dumb dogs."

ment; and the mutinous English, who might stimulate it, required to be closely watched. Acting, it may be presumed, with reference to the contemporaneous proceedings of the Commissioners, the Court issued a warrant to the settlers at Shawomet to appear in Boston at its next meeting, "to answer the complaints of Pomham and Saconoonoco."[1] The warrant brought an immediate reply, addressed by Randal Holden, in the name of the company, "To the Great and Honored Idol General, now set up in the Massachusetts." It was made up of language in part unintelligibly mystical, and in part ingeniously and expressively abusive. It told the Magistrates, that, "to add to their former pride and folly, they had writ another note out of principles, which is the kingdom of darkness and of the Devil." It averred, that they "delighted to trust in the kingdom of darkness and of the Devil," and that they "lived by blood." It called them "hypocrites," a "generation of vipers," and "that beast and false prophet." It replied to their proposal for a hearing in their Court, that they were "most audacious to urge it," and, to the offer of safe-conduct for that purpose, that the writers "could not sufficiently vilify" it. It declared, that their "shallow, humane, and carnal capacities" should "never enter into the kingdom of God to be a doorkeeper there," and that "the axe was laid to the root of the tree, whereof they were a part." And it insulted them with vainglorious defiance: "If your sword be drawn, ours is girt upon our thigh; if you present a gun, make haste to give the first fire; for we are come to put fire upon the earth, and it is our desire to have it speedily kindled."[2]

Proceedings of Massachusetts against Gorton's company.

Sept. 12.

Sept. 15.

[1] Winthrop, II. 121 – 123; Hypocrisie Unmasked, 2, 3; Simplicitie's Defence, 33.

[2] Hypocrisie Unmasked, 28 – 36; R. I. Rec., I. 262.—Winslow says, "Because their orthography was so bad as it would scarce have been understood, I left it to be corrected by the printer,

This missive reached Boston before the Commissioners of the Confederacy had separated. The Magistrates consulted them, and were advised to proceed in the matter "according to what they should find just, and the rest of the jurisdictions would approve and concur in what should be so warrantably done, provided that this conclusion should not prejudice the government of Plymouth in any right they could justly claim unto any tract or tracts besides that possessed by the English and Indians who had submitted themselves to the government of the Massachusetts."[1] The Magistrates accordingly despatched a prompt and peremptory answer. They briefly recited the circumstances of the case, as apprehended by themselves, and concluded: "We therefore intend shortly to send commissioners into your parts to lay open the charges against you, and to hear your reasons and allegations, and thereupon to receive such satisfaction from you as shall appear in justice to be due. We give you also to understand, that we shall send a sufficient guard with our commissioners, for their safety against any violence or injury; for, seeing you will not

Sept. 19.

but no word to be changed." — "They were all illiterate men; the ablest of them could not write true English; no, not common words." (Winthrop, II. 145.)

[1] Records, &c., in Hazard, II. 10. — A topic of Winslow's book was "the dangerous agreement which he [Gorton] and his accomplices made with ambitious and treacherous Indians, who at the same time were deeply engaged in a desperate conspiracy to cut off all the rest of the English in the other plantations." (Hypocrisie Unmasked, Title-page.) He says that the Commissioners were disposed to have Massachusetts proceed against Gorton's people, "the more because of Gorton's extraordinary familiarity with Miantonomo, and the rest of the Narragansett sachems, who were known to be in a deep conspiracy against all the English in the land at the same time." (Ibid., Epistle Dedicatory.) Again, Winslow lays stress on Gorton's "so desperate close with so dangerous and potent enemies, and at such a time of conspiracy by the same Indians." (Ibid., 75.) The Narragansetts, he says, had changed their demeanor since "malignant English sate down so near them, and held counsel with them." (Ibid., 87.) "If the Gortonians be suffered to live so near them, it will be our ruin, or those Indians' (which we desire not) in short time." (Ibid., 74.) "All these considered, you shall hereby see cause enough why they proceeded against him as a common enemy of the country." (Ibid., 75.)

trust yourselves with us upon our safe-conduct, we have no reason to trust ours with you upon your bare courtesy. But this you may rest assured of, that, if you will make good your offer to us of doing us right, our people shall return and leave you in peace; otherwise, we must right ourselves and our people by force of arms."[1]

The commissioners proceeded on their errand, with an escort of forty men. The commander and first commissioner was George Cooke, of Cambridge.[2] Edward Johnson, of Woburn, author of the "Wonder-Working Providence of Zion's Savior in New England," and Humphrey Atherton, of Dorchester, a person now rising into consequence, were associated with him in the trust. At a little distance from Shawomet they were encountered with a written warning not to advance, on peril of their lives, it being declared, as the purpose of the assailed, "to increase wrath and horror, the end of war, in the souls of all men that seek after it."[3] The commissioners, in their written reply addressed to the bearer of the letter, expressed their wish to bring the dispute to a just and amicable settlement with the malecontents, wherein if they should fail, they should "look upon them as men prepared for slaughter."[4]

Sept. 28.

The commissioners pushed on rapidly, and blockaded the settlement. The proceeding was protracted by a truce, obtained through the friendly intervention of two ministers, and two other inhabitants, of Providence, who from the scene of action addressed a letter to Winthrop, proposing that the claims of Gorton's party should be submitted to an arbitration. The Governor, after a hasty consultation, sent back a refusal, on several grounds, one of which was, that

Oct. 2.

Oct. 3.

[1] Simplicitie's Defence, 34; Mass. Rec., II. 41, 44, 46; Winthrop, II. 137.

[2] Cooke afterwards went to England, and was a Colonel in Cromwell's service.

[3] Simplicitie's Defence, 36.

[4] So says Gorton, who professes to give a copy of the reply. (Ibid., 38.) But Winslow (Hypocrisie Unmasked, 70) disputes its authenticity.

"they were no State, but a few fugitives, living without law or government."[1] After some days the party surrendered, no life having been lost,[2] and were led away prisoners, through Providence, to Boston. They complained of spoliation of their property, and of hardships and insult on the march. They were ten in number.[3] At Boston they were imprisoned till the meeting of the Court.

Massachusetts had broken up Gorton's den, as, thirteen years before, the infant settlements had broken up Thomas Morton's,[4] when his relations with the Indians made him an insufferable neighbor. But now arose a perplexing question. The mischief-making was intolerable; but where was the law against it? It was impossible to suffer it to go on; but by what regular process was it to be arrested? In earlier times no such question would have arisen. But Massachusetts had now recently begun to administer justice according to a written code, and little time was needed to create in Englishmen a sense of the sanctity of the special prescribed law. There was not — and could not prudently be made, in terms — a law against Gorton's "appeal to the Honorable State of England;"[5] though in this consisted no small part of his offensiveness, and of the anxiety which he occasioned. For his transactions with the Narragansetts, he might have been indicted under the twelfth article of the Capital Laws; but the Magistrates may well have been unwilling to make a panic by proclaiming all the causes, in

[1] Winthrop, II. 139, 140; Hypocrisie Unmasked, 4. — The dates which I have given above are those of Gorton. (Simplicitie's Defence, 41, 45.) But the date of Winthrop's reply in Boston to a letter written the day before at Warwick betrays some inaccuracy.

[2] Winthrop, II. 139, 140; Simplicitie's Defence, 47 – 52; Hypocrisie Unmasked, 3 – 5. — At Warwick, which I visited in 1857, I could hear of no traditions to identify the precise scene of these proceedings. The spot where a house of Holden is believed to have afterwards stood was pointed out to me.

[3] Of the original twelve, Greene had escaped from Shawomet during the blockade, and Shotton had died before.

[4] See Vol. I. 232.

[5] Simplicitie's Defence, 40; comp. 33, 47, 55.

relation to the Indians, of their solicitude for the safety of the State. The charge upon which it was resolved to arraign him and his associates was that of being "blasphemous enemies to the true religion of our Lord Jesus Christ and all his holy ordinances, and also to all civil authority among the people of God, and particularly in this jurisdiction."[1] And specifications to the number of six in the former case, and of more than fifty in the latter, were produced from their writings and speeches.[2]

Abundant as might be the proof of the latter of these two offences, there still remained the difficulty of finding in the code a punishment for it as severe as the actual exigency seemed to require, whether for repression or for example. The proof of the charge of blasphemy, respecting which there was no such difficulty, accordingly made a great part of the proceedings in the Court. Gorton ill served his cause by the repetition of an "appeal to the State of Old England; . . . . . unto which the Governor made answer, as also Master John Endicott, Deputy-Governor; and bade Gorton never dream or think of any such thing, for no appeal should be granted unto him."[3] "To their plea of persecution for their conscience, &c., it was answered, that we did not meddle with them for their opinions otherwise than that they had given us occasion by their own letters and free speeches amongst us; for we wrote to them about civil controversies only."[4] "To their plea that they were not within our jurisdiction, it was answered, — 1. If they were not within ours, yet they were within the jurisdiction of one of our confederates [Plymouth], who had referred them to us; 2. If they were within no jurisdiction, then was there none to complain to for redress of our injuries in way of ordinary justice, and then we had no way of relief but by force of

[1] Mass. Rec., II. 51.
[2] Hypocrisie Unmasked, 38 – 51.
[3] Simplicitie's Defence, 55.
[4] Hypocrisie Unmasked, 6.

arms."[1] After a tedious process and several examinations, Gorton was found guilty, and was sentenced, during the pleasure of the Court, "to be confined to Charlestown, there to be set on work, and to wear such bolts or irons as might hinder his escape," and to forbear from publishing "any of the blasphemous or abominable heresies wherewith he hath been charged," on penalty of death; — a penalty which, as he learned, he had already escaped by only a majority of two votes.[2] Six of his companions, under the same conviction, were in like manner confined in as many different towns. Waterman was bound over for a future appearance, should it be required. Waddell, "an ignorant young man," was only ordered to remain at Watertown.[3] Power was released, having "denied that he set his hand to the first book." A party was sent to Shawomet "to fetch so many of their cattle as might defray the charges."[4]

Conviction and punishment of Gorton and his associates. Nov. 3.

The severity of the sentence occasioned popular dissatisfaction; and whether from this cause, as Gorton supposed,[5] or because it was considered that the exigency was passed, or because there was danger of their raising a party, or because it was hoped that the excitement among the Narragansetts, and accordingly the danger from intrigue with them, had become less, the prisoners were released after four or five months by an order of the General Court, with a threat

Their discharge. 1644. March 7.

[1] Ibid., 5; comp. 74. — The truth is, that, while the charter of the Governor and Company of Massachusetts invested them with a defined territory, along with certain rights against encroachment from the King, they never regarded it — and there is no reason why they should — as barring them from other rights which they might acquire otherwise and elsewhere. They had the same title, on all the same grounds, to the lands of Shawomet, as the people of Providence, or of Rhode Island, or of Connecticut, or of New Haven, had to country which they respectively occupied; — a title founded on a cession by the previous native proprietors.

[2] Simplicitie's Defence, 64. — Winthrop says (II. 146) that all but three of the Magistrates were for a sentence of death. The Deputies stood out.

[3] Mass. Rec., II. 52 – 54; Winthrop, II. 142 – 147; Hypocrisie Unmasked, 5 – 9; Simplicitie's Defence, 51 – 65.

[4] Winthrop, II. 148.

[5] Simplicitie's Defence, 74.

of death in case, after fourteen days, they should be found "in the Massachusetts, or in or near Providence, or any of the lands of Pomham or Sacononoco."[1] To await their friends, as they said, some of them met at Boston, whence, by a warrant from the Governor, they were summoned to depart within two hours. They reassembled in their old home, where John Warner, "Secretary, by the order of the government of Shawomet," wrote to Winthrop to inquire whether the General Court could have meant that place by "the lands of Pomham and Sacononoco;" and receiving his reply that it was so, they retired to Rhode Island.[2]

March 26.

April 1.

The next step showed their resolution, their capacity for business, and that power of theirs which it had been thought so important to subdue. The neighboring Narragansetts, seeing the "Gortonoges," as they called them, return unharmed from their transportation to Massachusetts, were ready to believe that they were under the protection of a superior power, and that "the great people that were in Old England would come over and put them to death that should take away their lives without a just cause." Encouraging, and availing themselves of, this impression, six or seven of Gorton's party crossed over to the mainland, and succeeded in concluding a treaty with Canonicus, Mixan (his son), and Pessacus (brother and successor of Miantonomo), to no less effect than that of a complete cession of the Narragansett people and territory "unto the protection, care, and government of that worthy and royal prince, Charles, King of Great Britain and Ireland,

Cession of the Narragansett country to the King. April 19.

[1] Simplicitie's Defence, 74; Winthrop, II. 148, 156; Mass. Rec., II. 57. — When they were imprisoned, they were threatened with death, if they should continue to vent their "blasphemous and abominable heresies." Some of them did continue to vent those heresies with great diligence and passion. And then they were sent out of the jurisdiction, with a threat of death if they should return. It was easier to make such a threat than to execute or to mean it, whatever want of dignity there may have been in attempting to influence by a false alarm.

[2] Simplicitie's Defence, 76 – 79.

his heirs and successors for ever." In the instrument of surrender, evidently composed for their signature by English hands, the savages declared that they took this course "upon condition of his Majesty's royal protection," and because of having "just cause of jealousy and suspicion of some of his Majesty's pretended subjects;" and they certified that they had "made choice of four of his loyal and loving subjects, our trusty and well-beloved friends, Samuel Gorton, John Wickes, Randall Holden, and John Warner, whom we have deputed and made our lawful attorneys and commissioners, not only for the acting and performing of this our deed in the behalf of his Highness, but also for the safe custody, careful conveyance, and declaration hereof unto his Grace."[1]

Under the same dictation, as is evident from the topics and style, Canonicus and Pessacus addressed a letter to the General Court of Massachusetts, refusing an invitation to present themselves there in person; animadverting on the fate of Miantonomo; declaring their purpose to avenge it on Uncas, who, they alleged, had taken a ransom for his life; and announcing their "being subjects now [for the opportunity for a taunt was not to be lost] unto the same King and State yourselves are," to whom, in case of any difference, it would accordingly be fit "for both of us to have recourse."[2] A letter presently followed from John Warner, who called himself Secretary to "the Commissioners put in Trust for the further Publication of the Solemn Act" of the Narragansetts in their cession to the King. It confirmed the statement of that cession, and threatened the Massachusetts people with the vengeance of the King and of the Mohawks, should they presume to interfere.[3] The General Court sent two mes-

May 24.

June 20.

[1] Simplicitie's Defence, 79 – 84; R. I. Rec., I. 134 – 136.

[2] Simplicitie's Defence, 85, 86; R. I. Rec., I. 136 – 138; Winthrop, II. 165, 166.

[3] Simplicitie's Defence, 87 – 89; R. I.

sengers to the Narragansett sachems, to vindicate their own course, and to advise them to be quiet and to detach themselves from their pernicious English friends. The envoys were roughly received. "Canonicus would not admit them into his wigwam for two hours, but suffered them to stay in the rain. When he did admit them, he lay along upon his couch, and would not speak to them more than a few froward speeches, but referred them to Pessacus." Pessacus gave them no satisfaction, but persisted in the threat of a renewal of hostilities against Uncas.[1]

May 29.

His resentment, however, took counsel of his fears; and at the second annual meeting of the Commissioners of the Confederacy,[2] things continued to stand substantially as they had done, though the rumor of danger, taking different forms, from time to time, through various accidents, had kept the western Colonies in extreme uneasiness, and in a posture of constant preparation at once harassing and expensive. An embassy sent by the Commissioners to the Narragansett chiefs had better success than the recent one from Massachu-

Sept. 5.

Rec., I. 138–140; Winthrop, II. 165, 166. — "That indignity offered and done unto their sovereign which cannot be borne nor put up, without a sharp and princely revenge." "We tender our allegiance and subjection unto our King and State, unto which they are become fellow-subjects with ourselves." "Being abroad of late about our occasions, we fell to be where one of the sachems of that great people of Maukquogges was, with some of his men, whom we perceive are the most fierce and warlike people in the country or continent where we are, furnished with 3,700 guns, men expert in the use of them, plenty of powder and shot, with furniture for their bodies in time of war for their safety. . . . . We understand that of late they have slain a hundred French, with many Indians which were in league with the French, putting many of them to cruel tortures, and have lost but two of their own men. These being, as we understand, deeply affected with the Narragansetts in the loss of their late sachem, ... are resolved . . . . . to wage war to the uttermost, ... which it seems is the very spirit of that people to be exercised that way." This rhodomontade of Warner was designed to increase the effect of a report which had spread, perhaps with good foundation, that a large force of Mohawks had gathered on the English frontier.

[1] Winthrop, II. 165, 166.

[2] It took place at Hartford. For the names of the Commissioners, see the Appendix.

setts. Under the influence of the friendly, and at the same time resolute. tone with which they were addressed, they accepted the proposal, made to them and Uncas alike, to "propound their several grievances" to the Commissioners, and sent "a sagamore, with other considerable persons, as their deputies," to conclude an arrangement. "The Commissioners gave a full hearing both to the Narragansett deputies and to Uncas, sagamore of the Mohegans." The chief dispute related to a ransom which was alleged on one side, and denied on the other, to have been paid to Uncas for the life of his captive, and of which the Commissioners decided "that they did not find any proof."[1] Though the controversy was not closed, the important point was carried of gaining time for passions to subside. In the sequel of explanations by the Commissioners of the past course of their constituents and of their resolutions for the future, "the Narrohiggansett sachem, advising with the other deputies, engaged himself in the behalf of the Narrohigganseths and Nayanticks, that no hostile acts should be committed upon Uncas or any of his, until after the next planting of corn; and that, after that, before they began any war, they would give thirty days' warning to the Governor of the Massachusetts or Connecticut." A further stipulation was, "that they would not use any means to procure the Mahwakes to come against Uncas during this truce."[2] Gorton's party continued to live unmolested upon Rhode Island.[3]

Truce with the Narragansetts Sept. 19.

[1] Records, &c., in Hazard, II 25, 26. — "It was clearly proved otherwise." (Winthrop, II. 198. Comp. Letter of Haynes to Winthrop, in Mass. Hist. Coll, XXI 229.)

[2] Records, &c. in Hazard, II. 14–16, 25–27.

[3] Coddington's impatience of Gorton's presence is expressed in a letter to Winthrop, of August 5, 1644, preserved in the Massachusetts Archives (II. 4, 5). "For Gorton, as he came to be of the island before I knew of it, and is here against my mind, so shall he not be by me protected." "Here is a party which do adhere unto Gorton and his company in both the plantations, and judge them so much strength to the place, which be neither friends to you nor us."

Johnson (Wonder-Working Providence of Zion's Saviour, 182–188)

To protract the dispute by another seizure of their persons would have been at once to re-introduce an element among the dangers of a Narragansett war, and to complicate the relations, already critical enough, with the mother country. We are in due time, however, to see that it was soon revived in another form, and that it was not pacified for many years.[1]

has told the story of these proceedings against the Narragansetts and Gorton's company; but without adding to our knowledge of the facts, obtained from sources more satisfactory.

[1] Gorton and his party were severely dealt with. It is no part of the historian's office to frame justifications for acts which he records. But he should endeavor to produce the true explanations of whatever is perplexing. And it is a mistake to suppose that the suggestion of culpable motives for a course of action is the suggestion the most likely to elucidate it. The contrary is true, when the characters involved are on the whole such as have affinity with worthy motives.

The Magistrates of Massachusetts had perhaps never heard the name of Gorton before Roger Williams wrote to Winthrop that he was afraid the restless demagogue would drive him away from Providence. (See above, p. 120, note 2; 118, note 5.) Eight months more had passed, when the original planters in the outskirts of that feebly organized settlement complained at Boston, that Gorton had obtained land "over their heads," and raised a riot which had led to blows. At the same time the Magistrates learned that he was associated in his machinations with persons whom they had lately had to deal with for misbehavior within their own confines; and further inquiry must have brought them the information, that most of his company had been disturbers, of whom they had formerly had to rid themselves, and that he himself had been banished from Plymouth for "seditious carriage," punished by whipping on Rhode Island for riot and mutiny, and refused "inhabitation and town privileges" by Williams and his friends at Providence for "his uncivil and inhuman practices;" in short, that wherever he had been, he had been an intolerable pest.

The complainants received for answer, that they were no subjects of Massachusetts, and that the way for them to seek their right to live quietly, was to attach themselves to some orderly government. Having borne their discomforts through the greater part of another year, they resolved at length to place themselves under her protection; and Massachusetts, unwilling to have an anarchy grow up upon her borders, — as well for more general reasons, as because it would leave unrestrained such treatment of the Indians as would be at once unjust and dangerous, — took the same course as had been before taken with the detached settlements in New Hampshire and Maine, and received the petitioners under her government.

The other party, under furious exasperation, which they first expressed in a letter, conceived in abusive and threatening terms which showed them prepared to do their utmost possible of harm, removed towards the Narragansett country, where they pretended to have bought lands of its chief. Meantime other circumstances lent a much

The relations with borderers and Indians were not the only external relations which the progress of events had summoned Massachusetts to oversee. The New-England Confederacy was the strongest power on the Atlantic sea-

higher importance to the affair. The settlements had been distressed by intelligence of a scheme on foot for a general rising of the Indians, under the lead of the Narragansetts, the most powerful Indian tribe, and of their able and restless chief, from whom Gorton and his company pretended to have made their purchase. The excitement was at its height at the time when these dangerous persons had become the savage's fast friends, had dealt with him for lands, and established themselves near him at the most important point of passage and communication between the different English settlements. No good offices could be expected from them. The worst might reasonably be feared. At all events, the place was one too favorable for hostilities, to be left in the occupation of bitter and capable enemies. And the emergency became pressing, when Miantonomo, in violation of a treaty, made war upon Indian allies of the English, and when, on his being taken prisoner, Gorton established a further interest with his tribe by writing a threatening letter to his captor to procure his release. "Many reasons concerning our safety," wrote Winthrop to the Providence men who had proposed themselves as mediators, "have necessarily put us upon this course;" and he explained himself by adding, "the bottom of it [that is, of the action of Gorton's party] is easily sounded; which is, to win time to discourage the Indians under our subjection, and to give them time and opportunity to stir up, as much as in them lieth, the other Indians against us." (R. I. Hist. Col., II. 110.)

The means of redress and of security were furnished when the Indian chiefs of Shawomet, having satisfied the Massachusetts Court that the land said to have been sold by Miantonomo to Gorton was not his to sell, but theirs, yielded it and themselves to her government. It was thought that the land might lie within the Plymouth patent; but the Federal Commissioners, with the consent of those who represented Plymouth, requested Massachusetts to assume jurisdiction. She proceeded to do so; and was defied. While her blood was up against King Charles, with whom her friends were now fighting a critical battle for all that is dearest to good men, the opposition she was aiming to put down was made more alarming and offensive by the threat of bringing in his authority to overbear her own; and at length she undertook to subdue with the vigor of military action the pertinacious disturbers whom the Colonies previously infested by them had dealt with in vain.

Their persons being seized, they were arraigned both as blasphemers and as "enemies of all civil authority." If, for good and sufficient reasons concerning the public weal, it was right that they should be disabled, the charge of blasphemy was, in the circumstances, no unfit or dishonest expedient for the purpose. Undoubtedly the rulers in Massachusetts believed that their prisoners had been guilty of it, and that it was an offence properly punishable by human tribunals. The people's horror of blasphemy was on their side. The people familiarly recognized it as a great crime. It stood as such on the statute-book in England, as well as in

board of America. Virtually, — almost formally,[1] — Massachusetts was at its head; and, with a sense of this new importance, it was not unnatural that she should assume a position of authority in respect to European colonies not embraced in the alliance. It has been men-
1638. tioned that the New-Haven people had projected the establishment of a factory on the Delaware, near to a spot earlier occupied by a few Swedes.[2] The visitors from New Haven were maltreated and expelled by the

almost all the English settlements in this country. And by their own law — under which, however, no execution ever took place — it was a capital offence. The author of their Body of Liberties had, to their satisfaction, quoted Scripture (Lev. xxiv. 15, 16) as authority for so regarding it.

The final form of the arraignment and conviction in this case has given color to a charge, which the sufferers, resorting to an obvious topic of crimination, afterwards busied themselves to enforce, — that there was an invasion of the rights of conscience. But it is an easy faith that can admit that it was in pursuit of a knot of misbelievers or blasphemers, that a little army was sent to a distance of sixty miles; or that it was an offence of this nature, that agitated so long the deliberations of the General Court of Massachusetts and of the Federal Council of the Four Colonies. It is more natural to suppose that, so long as no other harm was done, blasphemies might have been uttered without interruption, stint, or end, in the Narragansett woods, where there were no devout ears to be pained with them; while, on the other hand, it appears too much to expect that sensible men, like the Massachusetts rulers, would permit wild Indians to be set upon them, and hold the instigators harmless merely for their abundant speaking and writing of gibberish interlarded with Scripture. Nor will it escape the reader's attention, that, through the relenting inconsistency which usually finds place when a theory of law is too rigorous to command the sympathy of the people's moral sense, Gorton and his companions, though pronounced guilty of what was unquestionably, by the law, a capital crime, escaped, by a small majority, a sentence of death. It may even be reasonably presumed, that the minority gave their voice for that penalty through a reluctant theoretical devotion to the letter of the code; and that the minority would not have been composed of so many persons, had they thought there was a chance of their proving to be the larger number.

[1] At the opening of the second annual meeting of the Commissioners, Massachusetts claimed precedence; and the body, while they denied it as a matter of right, "yet, out of their respects to the government of the Massachusetts, they did willingly grant that their Commissioners should first subscribe after the President in this and all future meetings." (Records, &c., in Hazard, II. 14.) At the sixth annual meeting, it was further determined that, in the arrangement of seats at meetings, "the Commissioners of the Massachusetts should have the first place." (Ibid., 99.)

[2] See Vol. I. 600, 624.

Swedish governor;[1] and that Colony laid its complaint before the Commissioners of the Confederacy. A letter written under their direction by Winthrop to the Swedes,[2] brought a reply with "large expressions of their respect to the English, and particularly to Massachusetts," and a promise to refrain from molesting any visitors who should bring authority from the Commissioners.[3] The Dutch Governor at New Amsterdam made a complaint to "the Governor and Senate of the United Provinces of New England," of encroachments on the part of Connecticut, and desired to be informed whether, by a rupture with that Colony, he should expose himself to hostility from its confederates. Winthrop replied at first with only some conciliating generalities. Afterwards, under the direction of the Federal Commissioners, to whom Connecticut and New Haven had also addressed themselves, he made to the Dutch Governor a statement of the grievances of those Colonies, "requiring answer to the particulars; that," he added, "as we will not wrong others, so we may not desert our confederates in any just cause."[4] The settlers at New Amsterdam, though not disposed to withdraw "their complaint of injuries,"[5] were presently so much pressed by the Indians, that, instead of further reclamations from New Haven, they were fain to apply to that Colony for an auxiliary force of a hundred men. The proposal was declined, both as inconsistent with one of the articles of confederation, and from want of knowledge as to the justice of the war. But an offer was made of a supply of provisions, the savages having made great destruction of cattle and stores.[6]

Transactions with the Swedes on the Delaware. 1643. September.

Transactions with the Dutch at New Amsterdam. July 20.

Sept. 21.

With her French neighbors on the other side, Massa-

[1] Winthrop, II. 140, 141; N. H. Rec., I. 106 – 108.

[2] Records, &c., in Hazard, II. 11.

[3] Winthrop, II. 157; comp. 179, 187.

[4] Records, &c., in Hazard, II. 11; comp. Winthrop, II. 129, 130, 140.

[5] Winthrop, II. 157.

[6] N. H. Rec., I. 116, 117.

chusetts had more communication. On the death of Razilly, the Governor of Acadie, his lieutenants,[1] D'Aulnay de Charnisé and La Tour, now his successors, quarrelled about the limits of their respective jurisdictions,[2] and at length proceeded to acts of violence, which their superiors in France made only careless and ineffectual attempts to restrain. The rival chiefs were fur-traders with the Indians at the same time, and their interferences in the market exasperated their feud. D'Aulnay held posts on the Penobscot, and at Port Royal (now Annapolis) and La Hève[3] (now New Dublin) in Nova Scotia.[4] La Tour had fortified himself at St. John, at the mouth of the river of that name, in what is now New Brunswick. D'Aulnay had been instructed by the King to arrest him,[5] unless he should promptly obey an order which had been sent him to return to France.

The French in Acadie. 1635. November.

1641. Feb. 13.

La Tour, hoping that sympathy with his professed Protestantism might procure him aid from Boston against D'Aulnay, who was a Catholic, sent a messenger on that errand, at the same time proposing a free trade between

[1] See Vol. I. 540.

[2] There is in the French "Archives de la Marine" a letter of February 10, 1638, from the King (Louis XIII.) to D'Aulnay, which briefly defines the boundaries that officer was to observe. To La Tour, besides the post of St. John, was assigned the peninsula now called *Nova Scotia*, with the exception of about a quarter of it at its northeastern end, and of the posts at La Hève and Port Royal.

[3] So named by De Monts from a headland near Havre de Grace, from which port he had sailed for America.

[4] Thomas Gorges had heard that D'Aulnay had "five hundred men, two ships, a galley, and three pinnaces, well provided." (Letter to Winthrop, in Hutch. Coll., 114.) "The said Lord D'Aulnay-Charnisé hath ..... built and strenuously kept ..... four forts in the most necessary places, and furnished them with a sufficient number of soldiers, sixty great guns, and other things," &c. (D'Aulnay's Commission from the King of France (Feb. 1647), in Mass. Hist. Col., XXVII. 110.)

[5] In the French "Archives de la Marine," under the dates of September 27 and 28, 1645, are letters to D'Aulnay from the young King (Louis XIV.) and from the Regent (the Queen-mother), commending him for his care in protecting the coasts, forts, and plantations of Acadie from the bad designs of La Tour, and for his watchfulness against the danger of La Tour's intercourse with the New-England people.

his ports and those of New England, and an arrangement by which he might import through New England commodities from Europe. The request for free trade was complied with; the others were rejected. D'Aulnay, in a letter to Winthrop, denounced La Tour as a rebel, and threatened to break up the trade, and to make prize of any Massachusetts vessel which he might intercept while engaged in it. After the confederation, but before the first meeting of the Commissioners, La Tour, blockaded in the harbor of St. John, escaped by night, and came to Boston, where in person he reiterated his request for military aid, and enforced it by showing a document, "under the hand and seal of the Vice-Admiral of France," which recognized him as "the King's Lieutenant-General in Acadie."[1] His former misconduct at Machias, and a general distrust of his character and designs, operated against him. But there was a much stronger resentment against his enemy;[2] and the trade which had been opened was thought to be valuable. The decision of the Magistrates was, that, though the obligations of Massachusetts as a member of the Confederacy forbade her to contribute the assistance desired, she might permit the chartering of vessels in her ports and the enlistment of volunteers.[3]

Application of La Tour for aid from Boston. November. 1642. November. 1643. June 12.

La Tour hired four ships, enlisted some seventy men,[4] and set sail to encounter his enemy. The expedition obtained no decisive success, though D'Aulnay, suddenly attacked before St. John, was beaten, and pursued to Port Royal. He soon after sailed for

August.

[1] Winthrop, II. 42, 43, 91, 108, 125. — It is true that La Tour had received such a commission from Cardinal Richelieu, as long ago as the year 1634. But it had been revoked by the Cardinal, February 23, 1641, and the act of revocation had been confirmed by the King in Council, February 21, 1642.

[2] See Vol. I. 338, 540; comp. Winthrop, I. 117, 154; II. 126.

[3] Winthrop, 107–109.

[4] Ibid., 127. — The charter-party of the vessels is in Hazard, I. 499.

France to strengthen himself with new credentials; and
1644. May. in his absence a party of La Tour's men, assisted by some rovers from the eastern English settlements, burned his fort on the Penobscot, and carried off his cattle.[1]

July. Soon afterward, La Tour appeared again at Boston.[2] He had "understood by letters from his lady, that D'Aulnay had prevailed against him in France, and was coming with great strength to subdue him; whereupon he came to desire some aid, if need should be." He produced proof "that the place where his fort was built" was his private property, having "been purchased by his father of Sir William Alexander;[3] and he had a free grant of it, and of all that part of New Scotland, under the great seal of Scotland."[4] This claim under the King of Great Britain gave La Tour's case a new aspect; and at first "most of the Magistrates and some of the Elders were clear that he was to be relieved, both in point of charity, as a distressed neighbor, and also in point of prudence, as thereby to root out, or at least weaken, an enemy or a dangerous neighbor." But, by reason of the absence of many Elders, and the dissent of

[1] Winthrop, II. 135, 149, 178.

[2] He came unexpectedly, in an armed vessel, which, with a crew of a hundred and forty men, had been sent to him at St. John from Rochelle, and which in the offing he had reached in his boat. Winthrop (II. 107–109) gives a vivid description of the alarm occasioned by his arrival, which, when it turned out to be groundless, it is plain the Governor did not regret, as it gave the General Court a lesson on their imprudence in suffering the works on Castle Island to go to decay. (Comp. Endicott's Letter to Winthrop, in Hutchinson, Collections, 135.)

[3] Winthrop, II. 175, 179; comp. Vol. I. 234. — The information sent to La Tour from France by his wife was correct. March 6, 1644, the King in Council issued a peremptory order for him to present himself in Paris within three months. His wife was permitted to send a ship laden with provisions for the supply of his post; but it was to carry no munitions of war, and she was forbidden under pain of death to join him. If he disobeyed the summons, D'Aulnay was ordered to seize him and send him home. (MS. copies of Documents in the French Archives.)

[4] For the ground of this pretension, see Haliburton, I. 40 *et seq.*; Garneau, I. 73 *et seq.* It is irrelevant to the purposes of this history.

some Magistrates, the matter was reserved for further consideration. At a later meeting, "the Governor propounded the case, and it was brought to the two formal questions: 1. Whether it were lawful for true Christians to aid an Antichristian [for La Tour's anti-Romanist professions were not credited]; 2. Whether it were safe for us in point of prudence." Opinions appearing again to be divided, and the majority "not willing to conclude anything in this case without a full consent," it was resolved to do no more at present than to write to D'Aulnay, demanding satisfaction for his hostile behavior and language and the malpractices of his officers towards Massachusetts and her confederates; vindicating the course which had been taken in the last year in affording facilities to La Tour; and announcing a resolution to maintain the commercial relations which had been instituted with him.[1] La Tour was dismissed with unprofitable respect. The train-bands formed an escort. "The Deputy-Governor and many others accompanied him to the wharf, ... and all the ships, namely, four, saluted him, each of them with three pieces."[2]

Discussions respecting assistance to La Tour.

Sept. 9.

[1] Winthrop, II. 179, 180. For this letter and D'Aulnay's reply to it (Port Royal, October 21, 1644), see Mass. Hist. Coll., XXVII. 92, 99.

[2] Winthrop, II. 189. — Morton, of Merry Mount (see Vol. I. 231, 232), had appeared in Boston a year before, and been imprisoned for "his complaint against us at the Council Board." (See Vol. I. 364.) A characteristic letter which he had written to Mr. Jeffrey, boasting of that exploit, and filled with abuse of the Colony, was now produced. "He was fined a hundred pounds [no part of which could he pay] and set at liberty. . . . . He went to Agamenticus, and, living there poor and despised, he died within two years after." (Winthrop, II. 189 – 192, where Morton's letter to Jeffrey is inserted.)

Morton, it seems, had been in Rhode Island on a mischief-making errand. Coddington writes to Winthrop, in the letter mentioned above (139, note 3): "For Morton, he was insinuating who was for the King at his first coming to Portsmouth, and would report to such as he judged to be of his mind he was glad to meet with so many cavaliers; . . . . . and he had lands to dispose of in each Province, and from Cape Ann to Cape Cod was one. . . . . And that he had wrong in the Bay to the value of two hundred pounds, and made bitter complaints thereof. But

A week after his departure,[1] his wife arrived from London, having narrowly escaped capture by D'Aulnay, who fell in with her vessel on his return voyage from Europe.[2]

Visit of Madame La Tour to Boston.

She immediately brought an action in Boston against the master and the consignee of the ship which conveyed her, "for not performing the charter-party, having spent so much time upon the coast in trading, as they were near six months in coming, and had not carried her to her port as they ought and might have done. Upon a full hearing in a special court four days, the jury gave her two thousand pounds;" and, to satisfy this verdict in part, an execution was laid upon the cargo. The master petitioned the General Court for an allowance from the proceeds of the cargo for freight and wages. A majority of the Deputies would have granted it; but the Magistrates dissented. The master then brought an action before the Court of Assistants, and a jury decided against him. "This business . . . . . made some difference between the merchants of Charlestown, who took part with the merchants and master of the ship, and the merchants of Boston, who assisted the lady, some of them being deeply engaged for La Tour. . . . . Those of Charlestown offered security for the goods, if upon a review within thirteen months the judgment were not reversed, or the Parliament in England did not call the cause before themselves. This last clause was very ill taken by the Court, as making way for appeals, &c. into England." "The parties not agreeing, the lady took the goods, and hired three ships, which lay in

Morton would let it rest till the Governor came over to right him; and did insinuate he knew whose roast his spits and jacks turned."

[1] La Tour, after his return to St. John, wrote a letter of acknowledgment (October 27, 1644), which is in the Massachusetts Archives, and has been published in Mass. Hist. Coll., XXVII. 96. He renewed his suit against D'Aulnay with large personal vituperation, and argued, from historical precedents, the right of neutrals to aid belligerents to the extent to which he had been aided by Massachusetts. He was apprised of D'Aulnay's having just sent a messenger to Boston.

[2] Winthrop, II. 192; comp. 198.

the harbor, belonging to strangers, which cost her near eight hundred pounds, and set sail for her fort;" and the master got away clandestinely with his ship.[1] Dec. 8.

Just after her arrival at Boston, an envoy had also come thither from the opposite party, "one Marie, supposed to be a friar, but habited like a gentleman." He produced three papers; namely, "the King of France his commission [to D'Aulnay] under the great seal of France, with the privy seal annexed;" the verification of a sentence against La Tour "as a rebel and traitor;" and an order for his and his wife's arrest, and transportation to France. "He complained of the wrong done by our men the last year in assisting of La Tour, &c., and proffered terms of peace and amity."[2] Embassy from D'Aulnay.

"We answered to the first," says Winthrop, "that divers of the ships and most of the men were strangers to us, and had no commission from us, nor any permission to use any hostility, and we were very sorry when we heard what had been done. This gave him satisfaction. To the other proposition we answered that we could not conclude any league with him without the advice of the Commissioners of the United Colonies; but if he would set down his propositions in writing, we would consider further of them." In the sequel of the negotiation, the Magistrates agreed to present for the approbation of the Commissioners, at their next meeting, a Oct. 8.

[1] Ibid., 198 – 202. (I presume that the word "*yet*," at the end of page 199, was, in the manuscript, *y^t*, and that it should be read *that*.) Comp. Mass. Hist. Coll., XXVII. 98, 99.

[2] Marie was followed by a letter from D'Aulnay to Endicott, dated at Port Royal, October 21, 1644, which is in the Massachusetts Archives, and has been published in the Collections of the Historical Society (XXVII. 92). In it he justifies his taking possession of the post on the Penobscot, as belonging to the territory of his sovereign, and discusses other points of the controversy. The letter was in answer to one, in a conciliatory but firm tone, which had been addressed to him by the government of Massachusetts before his return from abroad. (Ibid., 99.)

treaty — which was to be binding meanwhile — for "firm peace" and free commerce between the jurisdictions of Massachusetts and D'Aulnay, without obligation upon the Massachusetts government "to restrain their merchants to trade with their ships with any persons, either French or other, wheresoever they dwelt." La Tour's wife, "known to be the cause of his contempt and rebellion," Marie told the Magistrates he must pursue and capture, though she were in a Massachusetts vessel;[1] but, with the three ships hired at Boston, she joined her husband in safety at St. John. It may be presumed, that, in the course of the negotiation, Marie had been informed

Sept. 9. of the fact that Massachusetts had been authorized by the Commissioners, if he proved stubborn, to make reprisals on his master's commerce,[2] and even to provide the means of overawing him by the purchase and occupation of La Tour's fort at St. John.

It will not have escaped attention, on what different terms these negotiations had been conducted on the one part and on the other. Each of the Frenchmen professed to be acting against his rival under the authority of the royal master of both. But Massachusetts treated with both, and entertained the question of peace or war, in the character of a state independent of all the world, except of the Confederacy of which she was the head.[3]

[1] Winthrop, II. 196, 197; comp. 199. — Marie "discoursed half the day, sometime with our Governor in French, and otherwhile with the rest of the Magistrates in Latin."

[2] Records, &c., in Hazard, II. 22. — The reader may see the French version of this series of transactions in Charlevoix, Histoire de la Nouvelle France (II. 191 – 202), Garneau, Histoire du Canada (I. 146 – 150), and an interesting memoir by that accomplished and estimable gentleman, the Count Auguste de Menou, formerly Secretary to the French legation at Washington, published, in a translation, in Mass. Hist. Coll., XXXIV. 462 *et seq.* I have had these accounts before me in constructing my narrative, as well as that of Mr. Haliburton, in his History of Nova Scotia.

[3] The settlement of the dispute so far was a great relief to the principality of Gorges (see Vol. I. 525), which, while it lay exposed to annoyance from D'Aulnay, was incompetent to its own defence. (Letter of Thomas Gorges to Winthrop, of June 28, 1643, in Hazard, I. 498.)

The protest of D'Aulnay against the course of the Massachusetts Magistrates in permitting his enemy to hire vessels and enlist men within their jurisdiction, was not unreasonable. The Federal Commissioners, coming together, for the second time, soon after the troublesome consequences of that proceeding had appeared, must be considered to have intended to express a censure of it, in terms not disrespectful to Massachusetts, when they passed a general order, "that no jurisdiction within this Confederation shall permit any voluntaries to go forth in a warlike way against any people whatsoever, without order and direction of the Commissioners of the several jurisdictions."

Proceedings of the Federal Commissioners at their second meeting. Sept. 5.

The record of other proceedings at this meeting — which, like the first, lasted a fortnight or more[1] — gives an idea of what were regarded as the proper subjects for the cognizance of the Commissioners. They entertained an application from Massachusetts for a share in the lands conquered from the Pequots, and a communication from Mr. Fenwick respecting the conflicting right of his principals. They advised the General Courts of the several Colonies to make permanent provision by law for a proper maintenance of the clergy. They "commended to the several General Courts, as a matter worthy of due consideration and entertainment, the maintenance of poor scholars at the College at Cambridge," and approved a proposal to "every family, able and willing to give, throughout the plantations, to give yearly towards that object but the fourth part of a bushel of corn, or something equivalent thereunto."[2] They authorized Massachusetts

[1] Records, &c., in Hazard, II. 7, 11, and 13, 26. — "It is ordered [May 20, 1644], that the Commissioners now appointed for this jurisdiction, and such as shall be appointed from time to time, for to meet with the Commissioners of the United Colonies, shall have their charges, with two men and four horses for that service, allowed them out of the Treasury." (Mass. Rec., II. 70, 71.) This was before the second meeting; for the first, the Massachusetts Commissioners had no journey to make.

[2] The recommendation was not neg-,

to "receive Martin's [Martha's] Vineyard into their jurisdiction, if they saw cause." They confirmed provisionally to Massachusetts the jurisdiction over Woranoake (Westfield), against a claim of Mr. Fenwick. Under the penalty of a fine, prescribed by their own authority, they forbade the selling of arms and of ammunition to the Indians; and they "commended unto the serious consideration of the several jurisdictions, whether it were not expedient and necessary to prohibit the selling of the aforesaid ammunition either to the French or Dutch." They provided for a proportionate distribution to the several Colonies of "powder and other gifts given to New England in general," such gifts from abroad having perhaps been found too apt to get no further than Massachusetts. They recommended to the several Colonies a plan for the institution of a joint-stock company for trade with the Indians, to be invested with a monopoly of the trade, but to include every person, or partnership, contributing to its funds not less than twenty pounds.[1]

"Some of the inhabitants of Rhode Island having intimated a willingness to be received into and under the government of one of the Colonies,[2] the Commissioners,

lected. See Mass. Rec., II. 86; Conn. Rec., I. 112, 139; N. H. Rec., I. 149, 210, 225, 311, 318, 354, 357, 382. — New Haven was exemplarily attentive to the collection of "the College corn."

[1] This scheme appears to have originated in Massachusetts. (Mass. Rec., II. 60; comp. Winthrop, II. 160.) I do not know that anything came of it, though Connecticut agreed to engage in it, "if other jurisdictions do the like," (Conn. Rec., I. 113,) and Massachusetts set some machinery at work to carry it into effect. (Mass. Rec., II. 86.) Plymouth, "thankfully acknowledging the love and respect" of her sister Colonies, declined joining with them in the adventure, on account of insufficient means, as well as of doubts about its success. (Plym. Rec., II. 82.)

[2] The curious letter of Coddington to Winthrop, which I have quoted for another purpose above (139, note 3), may be thought to throw some light upon this proceeding. It is dated August 5, 1644, one month before the meeting of the Commissioners. I cannot but believe that before Bradstreet and Hathorne went to Hartford, Winthrop had at least given them a hint of the state of Coddington's mind.

"I desire to have either such alliance with yourselves or Plymouth, one or both, as might be safe for us all, I having chief interest on this island, it being

considering that, by an utter refusal, they might by the discords and divisions among themselves be exposed to some great inconveniences, and hoping many of them might be reduced to a better frame by government, thought fit, that, if the major part, and such as had most interest in the island, would absolutely and without reservation submit, either Massachusetts or Plymouth might receive them." They provided for a yearly return of a census in each Colony of "males from sixteen to sixty years of age." They advised the governments of the several Colonies to establish a *primâ facie* recognition of the acts of each other's Courts. They approved the recent proceedings of Massachusetts in relation to the French combatants, and assured her of their support if D'Aulnay should prove impracticable. They instructed their President "to take care for the providing some man or men to find and lay out the best way to the Bay, from Connecticut, at the common charge." In consideration of some recent arming by New Haven and Connecticut against the Indians, they determined that, in cases of expense incurred by any Colony for military operations, "no charge was to be borne by the rest till all the grounds and occasions of the war should be considered, and the jurisdiction invaded cleared by the Commission-

bought to me and my friends; and how inconvenient it might be if it were possessed by an enemy, lying in the heart of the plantations, and convenient for shipping, I cannot but see; but I want both counsel and strength to effect what I desire. I desire to hear from you, and that you would bury what I write in deep silence; for what I write I never imparted to any, nor would to you, had I the least doubt of your faithfulness that it should be uttered to my prejudice."

Coddington's wish for a union with Massachusetts or Plymouth, in order to the enjoyment of more quiet in his home, was, it seems, shared by not a few others. Holden says, in a postscript to his letter to the "Idol General" (September 15, 1643): "The island being at such divisions within itself, some earnestly desiring it should be delivered into your hands, professing their unity with you, others denied it, professing their dissent and division from you." (Hypocrisie Unmasked, 35.) The stern dealing of Massachusetts with the disturbers at Providence may well have tended to keep "the island" in some restraint.

ers according to the articles." They gave their judgment against a pretension of Massachusetts to the fee of certain lands on the Piscataqua, deciding that jurisdiction only, and not property, had been conveyed at the time of their annexation to that Colony. They disapproved her claim to a plantation, which had been made at Seekonk, and which they found to lie within the bounds described in the patent of Plymouth.[1] And, "upon a serious consideration among themselves how the spreading course of error might be stayed, and the truths wherein the churches of New England walked set upon their own firm and clear foundations," they submitted to "the Elders now present at Hartford" the question, "Whether the elders might not be entreated seriously to consider of some confession of doctrine and discipline with solid ground, to be approved by the churches and published by consent, till further light, for the confirming the weak among ourselves, and stopping the mouths of adversaries abroad."[2]

Dissension among the Magistrates of Massachusetts.

The aid afforded by Massachusetts to La Tour, which failed to command the approbation of the Commissioners, had been the occasion of much difference among the Magistrates, at the time when a majority favored it; and it continued to provoke division and debate, and to affect the course of the local business and the position of public men. Though, for the present, Bellingham, placed at a disadvantage by his recent defeat,[3] prudently kept himself in the background, the old discontent of his party with the Governor took advantage of the posture of affairs to manifest itself anew.

1643. July 14. A joint written remonstrance[4] was addressed to Winthrop by three Magistrates, Saltonstall of Wa-

[1] Comp. Mass. Rec., II. 68; Plym. Rec., II. 22, 23.

[2] Records, &c., in Hazard, II. 16–25.

[3] See Vol. I. 613.

[4] To my eye this paper bears unmistakable traces of the pungent pen of Ward.

tertown, and Bradstreet and Symonds of Ipswich, with their townsman, Nathaniel Ward, and three ministers, namely, Nathaniel Rogers and John Norton of Ipswich, and Ezekiel Rogers of Rowley.[1] The Governor with warmth, but with a noble dignity, answered it at length. The hearty Endicott, though not altogether agreeing with his judgment in the case, sent him a letter of affectionate confidence.[2] Bradstreet wrote to him, disclaiming the intention to "cast any dishonor" upon him or those who acted with him, or "to write anything that might be matter of just offence," and exculpating himself from all share in an indecorum, of which Winthrop had complained, in "the time and manner of sending" the joint letter.[3] In these documents, as well as in the debate which had preceded the action of the Magistrates, the argument respecting, first, the equity, and, secondly, the safety, of permitting La Tour to recruit at Boston, was rested, by the parties respectively, upon considerations of the general duty of succoring the distressed; of the practice of neutral nations in conniving at aid to belligerents; of the policy of weakening D'Aulnay; of the impolicy of provoking him and his sovereign; of the danger of a connection with Romanists (with whom it appeared probable, on the whole, that La Tour was to be reckoned); and of the Scriptural cases of Jehoshaphat, Ahab, Ahaziah, Josiah,

July 26.

Aug. 21.

[1] Rogers had matter of private offence. He thought he had been unkindly treated by Winthrop in respect to an assignment of land which he desired. (Winthrop, II. 17.) In his Election Sermon in 1643, when Winthrop was Governor, he advised the freemen not to choose the same Governor twice in succession. (Vol. I. 614; comp. Winthrop, II. 99.)

[2] "Sir, be of good comfort. I doubt not but our God that is in heaven will carry you above all the injuries of men; for I know you would not permit anything, much less act in anything, that might tend to the least damage of this people; and this I am assured of, that most of God's people here about us are of the same mind," &c. (Hutchinson, Collection, 120.)

[3] These very interesting papers may be read in Hazard, I. 497, 502–516, or in Hutchinson, Collection, I. 113–134.

Pharaoh-Necho, Amaziah, Nehemiah, Jehoram, Solomon, the Queen of Sheba, and Joshua.[1]

The agitation, which had been created by this question, must have been revived by the return to Boston of the men and vessels which had gone thence with La Tour; and there can be little doubt of its influence on the next annual election, when Winthrop was again superseded. The party in opposition was not, however, strong enough to restore Bellingham; and the chief magistracy was conferred on Endicott, whose long services in a secondary capacity may well have seemed to entitle him to a requital of distinguished honor. Winthrop, from whom the public veneration could never wholly withdraw itself, was chosen to the second place; and the Magistrates of the last year were continued in office. As yet, in all the variations of popular sentiment, there had appeared little disposition to disturb the Magistracy, which, from the first, had been confided to only twenty-six different persons. Scarcely a Magistrate had ceased to be such, except by death, or by his leaving the Colony. The change now made was a moderate one, but it indicated a reversal of the policy towards the rival Frenchmen; and an evidence of this, still more significant, was given when Bradstreet and William Hathorne[2] — the latter a young man rising into notice — were appointed to succeed Winthrop and Dudley as Federal Commissioners, and Saltonstall was designated to "supply Mr. Bradstreet's place," in case a substitute should be needed. These were men of Essex county, except Saltonstall, and he was the fast friend of Bellingham.[3] One of the elements of the temporary dis-

Changes in the Magistracy. Endicott elected Governor.

1644. May 29.

[1] Winthrop, II. 109 – 114.

[2] "Through the Lord's mercy, we still retain among our democracy the godly Captain William Hathorne, whom the Lord hath endued with a quick apprehension, strong memory and rhetoric, volubility of speech, which hath caused the people to make use of him often in public service, especially when they have had to do with any foreign government." (Johnson, 109.)

[3] Mass. Rec., II. 69. "Another

satisfaction with Winthrop was a local jealousy. It was feared that he had been influenced favorably to La Tour by the merchants of Boston, some of whom had business affairs depending on the success of that adventurer.

The fire which had been smouldering broke out in other ways. A local *caucus* (not yet so called) arranged a combination to dictate the proceedings of the government. "Those of Essex had procured, at the Court before, that the Deputies of the several shires should meet before this Court to prepare business, &c., which accordingly they did, and propounded divers things which they agitated and concluded among themselves, without communicating them to the other shires, who conceived they had been only such things as had concerned the Commonwealth; but when they came now to be put to this Court, it appeared that their chief intent was to advantage their own shire. As, — 1. By drawing the government thither. 2. By drawing the Courts thither. 3. By drawing a good part of the country stock thither. 4. By procuring four, of those parts, to be joined in commission with the Magistrates. And for this end they had made so strong a party among the Deputies of the smaller towns (being most of them mean men, and such as had small understanding in affairs of state) as they easily carried all these among the Deputies. But when the two bills came to the Magistrates, they, discerning

Cabal in Essex County.

great error the Deputies committed; . . . . . namely, the choosing one of the younger Magistrates (though a very able man), Mr. Bradstreet, and one of the Deputies, Mr. Hathorne (the principal man in all these agitations), a young man also, to be Commissioners for the United Colonies, both Eastern men." (Winthrop, II. 171, 172.) The course, however, of Bradstreet and Hathorne, as Commissioners, in respect to that past policy of their own Colony which they disapproved, was forbearing and dignified. (See above, 150, 151; comp. Records, &c., in Hazard, II. 19, 21, 22.) — Two hundred years ago, it seems, Essex men were thought to be aspiring to rule the Colony, as fifty years ago an "Essex Junto" was cried out against for its alleged ambition to rule the Commonwealth. A vital local influence has its ebbs and flows, which sometimes history discloses.

the plot, and finding them hurtful to the Commonwealth, refused to pass them; and, a committee of both being appointed to consider the reasons of both sides, those of the Magistrates prevailed."

Attempt to abridge the power of the Magistrates.

As to one of its features this radical policy was presently developed in "a commission which the Deputies sent up, whereby power was given to seven of the Magistrates, and three of the Deputies, and Mr. Ward (sometime pastor of Ipswich and still a preacher), to order all affairs of the Commonwealth in the vacancy of the General Court."[1] Here was a practical assertion of the new doctrine that the Magistrates were not, of right, the standing council of the Colony when the General Court was not convened, as well as its executive at all times.

The Magistrates protested against the measure, as a revolutionary deposition of them from the authority vested by the Charter in the office which the freemen should only control by their annual election of its administrators. The Deputies argued, that the freemen "had varied from their patent in some other things, and therefore were not bound to it in this." The Magistrates proposed some compromises, but without avail. As the time approached which had been agreed upon for a prorogation of the Court, the Deputies desired them to engage to exercise no powers of government in the recess. "To this was answered, that, if occasion required, they must act according to the power and trust committed to them. Their Speaker [Hathorne] replied, 'You will not be obeyed.'"

[1] Winthrop, II. 167. — Ward's very active mind tempted him to be a little ambitious, and perhaps a little factious. In the year in which his friend Bellingham was made Governor (Vol. I. 611), Ward, being then no longer the minister of a congregation, was, contrary to all theory and former practice, chosen by "some of the freemen" to preach the annual Election Sermon to the General Court; and in it, "among other things, he advised the people to keep all their Magistrates in an equal rank, and not give more honor or power to one than to another." (Winthrop, II. 35.)

The Magistrates, however, proceeded to act, especially in a matter of no less importance than preparation for the apprehended war with the Narragansetts. And they were obeyed. It had been finally agreed, at the request of the Deputies, that the mooting of the question should be further adjourned, and that the publication of a popular appeal, which had been prepared by the Magistrates, should be suspended meanwhile. An influence which operated in favor of this reserve is remarkable. "Some of the Magistrates did decline the publishing thereof upon this apprehension, that it would cause a public breach throughout the country; and, if it should come to that, the people would fall into factions, and the non-members would certainly take part with the Magistrates (we should not be able to avoid it); and this would make us and our cause, though never so just, obnoxious to the common sort of freemen, the issue whereof must needs have been very doubtful."[1] The Magistrates could promise themselves the support of the mob of non-voters; but they did not want it at the expense of the displeasure of their legitimate constituents, how much soever these were for the present misled.

At the next General Court, the ministers were invited to present their formal opinion on the pending question, which at the recent session had been stated, by consent of the two parties, in the following terms: — "Whether the Magistrates are, by patent and election of the people, the standing council of the Commonwealth in the vacancy of the General Court, and have power accordingly to act in all cases subject to government, according to the said patent and the laws of this jurisdiction; and when any necessary occasions call for action from authority, in cases where there is no particular express law provided, then to be guided by the

Oct. 30.

[1] Winthrop, II. 168 – 171.

word of God till the General Court give particular rules in such cases."

Settlement of the dispute.

The unanimous opinion of the ministers, "delivered in writing by Mr. Cotton," sustained the claim of the Magistrates; and the question was determined accordingly. "Most of the Deputies were now well satisfied concerning the authority of the Magistrates, &c.; but some few leading men, who had drawn on the rest, were still fixed upon their own opinions." Saltonstall evinced his displeasure at the result by "moving very earnestly that he might be left out at the next election;" and "Mr. Bellingham and he held together, and joined with the Deputies against the rest of the Magistrates. ..... Such as had not well known the persons," says their candid opponent, "would have concluded such a faction here as hath been usual in the Council of England and other states, who walk by politic principles only. But these gentlemen were such as feared God, and endeavored to walk by the rules of his word in all their proceedings, so as it might be conceived in charity that they walked according to their judgments and conscience; and, where they went aside, it was merely for want of light, or their eyes were held through some temptation for a time, that they could not make use of the light they had."[1]

But such diversities of sentiment as to internal administration did not extend to the questions of higher politics. To save expense, the General Court had ordered the fort on Castle Island in Boston harbor to be dismantled. But the uneasiness occasioned by the appearance of La Tour's armed vessel, and new reflections suggested by the proceedings in England, had given a wholesome warning of the imprudence of such economy; and, chiefly at the expense of Boston and the neighboring towns, but

[1] Winthrop, II. 204–210; comp. 185, 186; Mass. Rec., II. 125.

with the help of a contribution from the General Court, the fortress was rebuilt, furnished with an armament, and garrisoned.[1] And in consideration of "the civil wars and dissensions in our native country," the General Court passed an order in the following terms: — "That what person soever shall, by word, writing, or action, endeavor to disturb our peace, directly or indirectly, by drawing a party, under pretence that he is for the King of England, and such as adjoin with him, against the Parliament, shall be accounted as an offender of an high nature against this Commonwealth, and to be proceeded with either capitally or otherwise, according to the quality and degree of his offence."[2] Massachusetts was not with the King against the Commons of England.

Precautions against a party for the King. May 20.

But neither was she for the Commons, without discrimination. The relation to the mother country to which she understood herself to be introduced by her position as head of the Confederacy, is illustrated by two incidents which occurred soon after. One Captain Stagg, probably the person of that name afterwards employed by the Parliament to reduce Virginia,[3] arrived at Boston from London in a vessel carrying twenty-four guns. Finding there a ship from Bristol, which city was then held for the King, he moored his own vessel between her and the shore, and summoned the master to surrender, which he did. The consignee of the captured vessel, a "Bristol merchant, a very bold,

Demonstrations of independence.

[1] Mass. Rec. II. 36, 45, 57, 63 – 65; comp. Winthrop, II. 243.

[2] Mass. Rec., II. 69. — Captain Jennison, of Watertown, "an able man," was called to account for having "questioned the lawfulness of the Parliament's proceeding in England." He said that, "if he were in England, he should be doubtful whether he might take their part against their prince;" but, adding that, "if the King or any party from him should attempt anything against this Commonwealth, he should make no scruple to spend estate and life and all in our defence against them," he was dismissed. (Winthrop, II. 176.)

[3] Thomas Stagge's commission for this service is in Hazard, I. 556.

malignant person, began to gather company and raise a tumult," which Winthrop quelled by arresting him and some of his friends. This done, "he wrote to the captain [of the London ship] to know by what authority he had done it in our harbor." Stagg produced his commission from the Earl of Warwick to capture vessels from ports in the occupation of the King's party, as well in harbors and creeks as on the high seas. Winthrop ordered him to carry the paper to Salem, the place of the Governor's residence, there to be considered at a meeting of the Magistrates. Of course the public feeling was with the Parliament and its officers; but it was not so heedless as to forget its jealousy of foreign encroachment from whatever quarter. "Some of the Elders, the last Lord's day, had in their sermons reproved this proceeding, and exhorted the Magistrates to maintain the people's liberties, which were, they said, violated by this act, and that a commission could not supersede a patent. And at this meeting some of the Magistrates and some of the Elders were of the same opinion, and that the captain should be forced to restore the ship."

May.

The decision, however, was different; and the reasons for declining to defy the Parliament, and allowing its officer to retain possession of his prize, are recorded. The following are passages of this significant manifesto: "This could be no precedent to bar us from opposing any commission or other foreign power that might indeed tend to our hurt and violate our liberty; for the Parliament had taught us that *salus populi* is *suprema lex*." "If the Parliament should hereafter be of a malignant spirit, then, if we have strength sufficient, we may make use of *salus populi* to withstand any authority from thence to our hurt." "If we, who have so openly declared our affection to the cause of the Parliament by our prayers, fastings, &c., should now oppose their authority, or do anything that might make such an appearance, it would be laid hold on

by those in Virginia and the West Indies to confirm them in their rebellious course, and it would grieve all our godly friends in England, or any other of the Parliament's friends." [1]

A second occasion of the same kind soon called for a revisal of this judgment. A ship from Dartmouth, in "the King's service," was threatened in Boston harbor by one Richardson, commander of a vessel from London bearing a commission from the Parliament's Lord Admiral. In the absence of Endicott, who was at his home in Salem, the Lieutenant-Governor sent an order to Richardson to come on shore forthwith, which he excused himself from doing, on the plea that his men were unruly and might do some harm in his absence. A shot from the shore-battery, which cut his rigging, and the sight of boats with forty Boston men pulling from the north wharf for the Dartmouth vessel, brought him to a better mind, and he "came ashore and acknowledged his error, and his sorrow for what he had done;" whereupon he was discharged, with an order "to pay a barrel of powder, and to satisfy the officers and soldiers that had been employed." "There was no hurt done," adds Winthrop, "nor had he made one shot; for, if he had, we had resolved to have taken or sunk him, which might easily have been done, lying close under our battery." "After, he showed only an ordinary commission from the Lord Admiral, not under the great seal, nor grounded upon any Ordinance of Parliament, as Captain Stagg's was; therefore we forbade him to meddle with any ship in our harbor." [2] September.

[1] Winthrop, II. 181 – 183. — The phrase *salus populi* was from early times in very familiar use. Its appearing so frequently in the written documents is evidence that, in the less permanent discussions, it was habitually recognized as of weighty practical meaning.

[2] Ibid., 194, 195. — The Dartmouth ship was taken possession of by the Magistrates, and was ultimately confiscated in reprisal for two Boston vessels which had been captured by vessels of the King. (Ibid., 195, 196.)

The distinction, which, if of no great significance, was real, was convenient for the purpose of the hour. But the reader of the present day may doubt whether the true reason of the different methods of proceeding in the two cases is not to be found in the agitation of the weighty questions which lay at the basis of both. Already, on the earlier occasion, men of influence had held that there must be no naval operations in Boston harbor; that the local authority there was permanent and paramount; "that a commission could not supersede a patent." The discussion of such doctrines, in the existing state of the public mind, and with the short history of the past for an impulse onward, could only have one issue. They could not fail to make their way. Events had brought Massachusetts into such a position as to preclude a positive disavowal by her of supreme authority within her own domain. For once, what with the novelty of the occasion and the universal sympathy felt with the Parliament, the claim of its officer might be yielded. But the surrender would be followed by reflection and misgivings. Its incompatibility with a safe hold upon self-government would be apparent; and its repetition would be impossible, whether a circumstantial difference between the cases which arose might, or might not, enable a subtile casuistry to justify the consistency of different proceedings in the one case and the other.

CHAPTER IV.

Thus early were the rights of Englishmen in New England asserted against an officer of the new government which had been set up in the home of their fathers. The Puritan people of the confederate Colonies could not but rejoice in the successful resistance to absolutism; but they did not presume that all need of watchfulness for the security of their own freedom had passed away. In the judgment of the statesmen of Massachusetts, the Ordinance by which Parliament had created a Commission for the Colonies,[1] was, in respect to them, as truly a usurpation, if not so immediately dangerous, as the previous institution of a similar authority by the King.

As time passed on, the necessity for caution was further revealed. In ecclesiastical affairs, the Puritans in New England were no more disposed to come under the control of presbyteries, than under the rule of bishops; but in England, after the tyranny of the Episcopal hierarchy had been overthrown, it became probable that a Presbyterian hierarchy, not less exclusive, perhaps eventually not less cruel, would succeed to its place.

It has been pointed out, that the great emigration to Massachusetts in the sixth year of King Charles is to be traced not so much to the Separatists as to the Non-conformists. Arrived, however, at their new home, the emigrants made haste to prove that they had left behind them their attachment to a national church, whether that should turn out to be Episcopal or Presbyterian. They even rejected the principle of con-

Independence of churches.

[1] See Vol. I. 633.

solidation altogether, and established their religious congregations on a basis of mutual independence. Meanwhile, among their friends in England, there was a prevailing disposition to substitute Presbytery for the government by bishops; — a tendency which, as has been seen, was fully developed soon after the breaking out of the civil war. Presbytery was, in fact, established by law; and if the law had but partial effect, its failure could not have been foreseen, and the attempt would undoubtedly have been renewed, if political affairs had taken a different turn.

Before the Church of England was made Presbyterian, the Independent church system had been approved in New England by trial, and had become endeared to the affections of the people. They had no mind to part with it in favor of a new form of severe authority, any more than in favor of the rule of prelacy. They had hoped to recommend it to the adoption of their friends at home. If this could not be, still they could not consent to surrender their own enjoyment of it. And this repugnance was made stronger by the pretensions which Presbytery was urging. As much as that other form of the Church of England which it superseded, it claimed to be an exclusive religion. Nor would it yield to that other in the oppressiveness of its intolerance, if, when it should be fully established in power, it should be true to the arrogant principles, which, even in its weakness, many of its champions had disdained to conceal.

While in England the literary war against Presbytery was in great part conducted by American combatants, their attention was presently required at home. William Vassall, a man of fortune, was one of the original Assistants named in the charter of the Massachusetts Company. He came to Massachusetts with Winthrop's fleet in the great emigration; but for some cause, — possibly from dissatisfaction with the ten-

Cabal of Presbyterians.

dencies to Separatism which he witnessed, — he almost immediately returned.[1] He crossed the sea again five years after, but then it was to the Colony of Plymouth. Establishing his home at Scituate, he there so conducted himself as to come under the reproach of being "a man of a busy and factious spirit, and always opposite to the civil governments of this country and the way of the churches."[2] His disaffection occasioned the more uneasiness, because his brother, Samuel, also formerly an Assistant of the Massachusetts Company, was now one of the Parliament's Commissioners for the Government of Foreign Plantations.[3] 1635.

In the year when the early struggle between the Presbyterians and the Independents in England had disclosed the importance of the issues depending upon it, and the obstinate determination with which it was to be carried on, Vassall "practised with" a few persons in Massachusetts "to take some course, first by petitioning the Courts of Massachusetts and of Plymouth, and, if that succeeded not, then to the Parliament of England, that the distinctions which were maintained here, both in civil and church estate, might be done away, and that we might be wholly governed by the laws of England."[4] In a "Remonstrance and Humble Petition," addressed by

[1] See Vol. I. 304, 323.

[2] Winthrop, II. 261. — "A man never at rest, but when in the fire of contention." (Ibid., 321.) The records of Mr. Lothrop's church at Scituate, as early as the year 1637, present some confirmation of Winthrop's estimate of Vassall's perverse and uneasy disposition.

[3] See Vol. I. 633. — That Commission was this year confirmed (March 16, 1646), and the number of Commissioners enlarged by the addition of six peers and fourteen members of the House of Commons. Among the latter were Sir William Waller, Sir Henry Mildmay, Mr. George Fenwick, formerly of Saybrook, and Mr. Alexander Rigby, the patentee of lands on the river Saco. (See Vol. I. 595; Journal of the Commons, IV. 477.)

[4] Winthrop, II. 261. — The movement in Plymouth was made at a General Court held in October, 1645, as appears from a letter of Winslow to Winthrop (Hutch. Col., 154); though the public record contains nothing respecting it. I infer from Winslow's letter, that half of the Assistants (namely, Standish, Hatherly, Brown, and Freeman) were in favor of larger indulgence to the malecontents.

them to the General Court of Massachusetts, they represented, — 1. that they could not discern in that Colony "a settled form of government according to the laws of England;" 2. that "many thousands in these plantations of the English nation" were "debarred from all civil employments," and not permitted "so much as to have any vote in choosing magistrates, captains, or other civil and military officers;" and, 3. "that numerous members of the Church of England, ... not dissenting from the latest and best reformation of England, Scotland, &c.," were "detained from the seals of the covenant of free grace, because, as it was supposed, they will not take these churches' covenants." They prayed for relief from each of these grievances; and they gave notice that, if it were denied, they should "be necessitated to apply their humble desires to the honorable Houses of Parliament, who, they hoped, would take their sad condition into their serious considerations."[1]

1646. May 6.

The memorial had scarcely reached the General Court before "copies were dispersed into the hands of some known ill-affected people in the governments adjoining," and even as far as "the Dutch plantation, Virginia, and Bermudas."[2] It was signed by seven persons. The best known of them was Samuel Maverick, whom Winthrop's company had found on an island in Boston harbor.[3] Robert Child, another signer, was "a Paduan doctor, lately come into the country, who had not so much as tasted of their grievances, nor like to do, being a bachelor and only a sojourner, who never paid penny to any public charge." Thomas Fowle was "a church-member, but would be no freeman, liking better to be eased of that trouble and charge." Thomas Burton was "a sojourner also, and of no visible estate in the country." David Yale was "a young merchant, little acquainted

[1] The document is in Hutch. Coll., 188 – 196.

[2] New England's Salamander, &c., 6.

[3] See Vol. I. 233.

with Commonwealth affairs."[1] John Smith was "taken up by accident, being none of this jurisdiction, but himself and family inhabiting at Rhode Island." And John Dand was "an old grocer of London, whose error was to be imputed to his age and some other infirmities."[2]

But, however little importance the movement derived from the character or position of the agitators, it was essentially of a nature to create alarm. It proposed nothing less than an abandonment of institutions, civil and ecclesiastical, which the settlers and owners of Massachusetts had set up, for reasons impressing their own minds as of the greatest significance and cogency. The demand was enforced by considerations which were not without plausibility, and were presented in a seductive form. It was itself an appeal to the discontent of a numerical majority not invested with a share in the government. And it frankly threatened an appeal to the English Parliament, — an authority always to be dreaded for encroachment on colonial rights, and especially to be dreaded at a moment when the more numerous party among its members were bent on setting up Presbytery as the established religion of England and its dependencies, determined on a severe suppression of dissent from it, and keenly exasperated against that Independency which New England had raised up to torment them in their own sphere, and which for herself New England cherished as her life. Such being the quarter from which invasion was now threatened, and such the speciousness of the shape which it was taking, the free-

Circumstances making it dangerous.

[1] Yale, however, was of some personal consideration. His sister was the wife of Governor Hopkins of Connecticut.

[2] Declaration of the General Court, &c., in Hutch. Coll., 196 *et seq.*; comp. Winslow, New England's Salamander, &c., 7, 8. — "The persons were of a linsey-woolsey disposition; some for prelacy, some for Presbytery, and some for *Plebsbytery*, but all joined together in the thing they would, which was to stir up the people to dislike of the present government." (Wonder-Working Providence, 202.) Butler had perhaps read Edward Johnson when he wrote (Hudibras, Canto III.):

"A lawless, linsey-woolsey brother,
Half of one order, half another."

dom of Englishmen in America may well have seemed to be in serious peril.

The favor with which the Parliament was regarded by the colonists in its opposition to the King, gave it an advantage for carrying out any plan of usurpation over them which it might be led to entertain. The establishment in New England of a civil authority controlled by intolerant Presbyterians would be the establishment of the religious intolerance of that sect. By its thorough organization, Presbytery was qualified to act with concentration and vigor. Its General Assembly, if its theory should be reduced to practice, would be less liable to obstruction than the Convocation of the lately subverted Church had been, by any other force in the machinery of government. The Independent or Congregational Church, as now constructed and administered, was deficient in such capacity for action or for self-defence. A number of single congregations, sustaining towards each other no definite relation, bound together by no common authority, subject even to be mutually repelled by conflicting speculations and dissimilar practices into which they might be tempted by their unrestricted freedom, were unfit to resist a force so well ordered and compacted as that by which they now were menaced.

The momentous bearings of the movement which was in progress did not escape the discernment of the General Court. The first thing, which it judged fit to be done in the emergency, was to supply the defects of the ecclesiastical system. And, after a few days' consideration, a vote was passed inviting a Synod of "elders and messengers" of the churches in all the Colonies of the Confederacy, for "the establishing and settling of the right form of government and discipline by the joint and public agreement and consent of churches, and by the sanction of civil authority."[1] They were

Arrangements for a Synod. May 15.

[1] The careful preamble to this vote well deserves the reader's attention, alike for other reasons, and for its interesting indications of the mutual rela-

to "meet at Cambridge, ... there to discuss, dispute, and clear up, by the word of God, such questions of church government and discipline as they should think needful and meet, and to continue so doing till they, or the major part of them, should have agreed and consented upon one form of government and discipline, for the main and substantial parts thereof, as that which they judged agreeable to the Holy Scriptures."[1] They might protract and repeat their sessions at their own pleasure. They were to report their results to the Governor or Deputy-Governor, to be by him laid before the General Court for its approbation.

The Synod met at the appointed time. All the churches of Massachusetts were represented, except four. The absence of the church of Concord was accidental. The minister of Hingham was inclined to Presbytery. The churches of Boston and Salem held back, from jealousy of an assumption of power on the part of Sept. 1.

tions of religious movements on the two sides of the water. The General Court say that they profit by the quiet of the present time to mature their religious institutions, being warned by the example of their "dear native country, ... where, by reason of the public commotions and troubles in the State, the reformation of religion, and the establishing of the same, is greatly retarded." And they allow us to see how New-England men were regarded, by the rising party in the mother country, as leaders in the Independent movement. "Divers of our Christian countrymen and friends in England, both of the ministry and others, ... have sundry times ..... earnestly, by letters from thence, solicited and called upon us that we would not neglect the opportunity which God hath put into our hands for the effecting of so glorious and good a work." (Mass. Rec., II. 154, 155.) This was a few weeks before the news arrived of the escape of the King from Fairfax and Cromwell to the Scottish army.

[1] Ibid., 155, 156; comp. Winthrop, II. 264, 265. — This was not the first time that the pending question had received this kind of attention. As early as June, 1643, "there was an assembly at Cambridge of all the Elders in the country, about fifty in all. Such of the ruling elders as would were present also, but none else. They sat in the College. ..... Mr. Cotton and Mr. Hooker were chosen moderators. The principal occasion was because some of the Elders went about to set up some things according to the Presbytery, &c. The assembly concluded against some parts of the Presbyterial way, and the Newbury ministers took time to consider the arguments, &c." (Winthrop, II. 136, 137.) The Newbury ministers were Thomas Parker and James Noyes. The former published in London a tract

the Court and of the projected Synod.[1] The pastor and teacher of Boston "thought it their duty to go notwithstanding, not as sent by the church, but as specially called by the order of Court;" and at length, chiefly by the arguments of Mr. Norton, of Ipswich, the church was prevailed upon to send messengers also. Time was wasted in the discussions thus occasioned, and "the Synod broke up and was adjourned" to the following spring, "having continued but about fourteen days, in regard of winter

entitled "True Copy of a Letter, written by Mr. Thomas Parker, a learned and godly Minister in New England, unto a Member of the Assembly of Divines now at Westminster, declaring his Judgment touching the Government practised in the Churches of New England." "I assure you," he says, "we have great need of help in the way of discipline, and we hope that we shall receive much light from you. My cousin Noyes and myself have seen such confusion of necessity depending on the government which hath been practised by us here, that we have been forced much to search into it within these two or three years. And, although we hold a fundamental power of government in the people in respect of election of ministers, and of some acts in cases extraordinary, as in the want of ministers, yet we judge, upon mature deliberation, that the ordinary exercise of government must be so in the presbyters as not to depend upon the express votes and suffrages of the people. There hath been a concert or meeting of the ministers of these parts, about this question, at Cambridge, in the Bay, and there we have proposed our arguments and answered theirs, and they proposed theirs and answered ours; and so the point is left to consideration." The date is "From Newbury, in New England, December 17, 1643."

Mr. Noyes, during the deliberations of the Synod of 1646, set down his views of church government in a treatise, of a hundred pages, entitled "The Temple Measured, or a Brief Survey of the Temple Mystical, which is the Instituted Church of Christ," &c. It was published in London, in 1647. Noyes was not a factious man. He spoke his mind frankly; but he lived and died in peace with his neighbors. His opinions were "in some things coincident with the judgment of the Reverend Presbyters in New England, in some things consenting with the reverend Assembly in England, and in some things distant from them both." (Temple Measured, Præf., 3.)

Noyes and Parker were united in a romantic friendship. Having taught in the same school in England, they came to America in the same ship, were colleagues in the same congregation at Newbury, and shared the same house till Noyes's death.

[1] "The principal men who raised these objections were some of Boston, who came lately from England, where such a vast liberty was allowed and sought for by all that went under the name of *Independents*, not only the Anabaptists, Antinomians, Familists, Seekers, &c., but even the most godly and orthodox, ... who in the Assembly there had stood in opposition to the Presbytery." (Winthrop, II. 269.)

drawing on, and few of the elders of other Colonies were present."[1]

The course of events in England during the summer

[1] Winthrop, II. 270, 271. — Sept. 17, 1646, about the time of the adjournment of the Synod, Mr. Hooker wrote from Hartford to his son-in-law, Shepard, at Cambridge, a letter which is curious on many accounts. The writer acknowledges the receipt of Rutherford, Bayley, Burroughs, the Assembly's "Reply to the Dissenting Brethren's Reasons," &c., sent him by Mr. Shepard, — and goes on to give his "sudden thoughts" on the pending controversy. "In the general, I easily see that the Scotch party do seriously set themselves to fortify their Presbyterian side, with the improvement of all means (I had almost said, Jesuit-like) to weaken the proceedings and the persons of the contrary minded. Rutherford undertakes all in a polemic way. Bayley is a man of a subtile and shrewd head; his part appointed is to gather up all such observations of opinions and practices, and present them at once to the apprehension of the reader, which may leave a taint of disparagement upon the cause, the abettors and defenders of it. And to this purpose there is a set counsel and consultation had and maintained amongst them; and I cannot be persuaded but these men had a secret hand to provoke Mr. Welde to set forth his 'Short Story' touching occasions here in Mr. Vane his reign, as also to publish to the world the answer to the Thirty-Two Questions [see above, p. 86, note 2], and also to the Nine [see above, p. 85, note], beyond all your expectations: I say, I cannot but think there was, by some cunning contrivement and underhand working, some train laid to provoke the setting forth of these; that he might leave testimony upon record, in writing, for what he doth express in an opprobrious manner in any of the particulars, — and so attain his end, and yet save himself from being a privy slanderer. This I suspect is their working; but God's ways in these are wonderful. On the other hand, I cannot but fear that our brethren there who go under the name of dissenting, mingle a little too much of worldly policy with their pious proceedings; otherwise, I think their reasons why they delayed to set forth their judgment are not satisfactory," &c.

The "Short Story" here referred to was the work otherwise called "Antinomians and Familists Condemned." (See Vol. I. 496, note.) That the publication in England of the answers prepared by Shepard and other ministers to inquiries received from that country, was unexpected by the writers, is a fact not without interest. Hooker's remark on the reluctance of the Independent ministers in the Westminster Assembly "to set forth their judgment," when persistently pressed for a formal declaration of it by their Presbyterian opponents, is amply borne out by the tenor of those discussions which are exhibited in the "Papers given in to the Honorable Committee of the Lords and Commons," &c. (See above, 92, note 3.) The truth is, the Independents in the mother country were embarrassed, as to a distinct expression of their sentiments, by that political alliance of theirs with sectaries, from which their brethren in New England were free. (See above, p. 90, note.) The Independent leaders in London found it more convenient to have their allies in New England expound the system approved by both, than to certify it under their own hands.

had not been such as to make it important that this business should immediately proceed. But Child and his associates, whose memorial had been neglected, had been exerting themselves to create disaffection among the people; and, it being also known that they were preparing to address themselves to the Commissioners for Plantations and to Parliament, there appeared a necessity to take measures for their defeat.

Appeal to the home government.

Nov. 4. The General Court answered their "Remonstrance and Petition" by a published "Declaration." In this carefully drawn paper, designed for effect abroad as well as at home, the Court argued their case with equal circumspection and boldness. Maintaining that their government was "framed according to their charter, and the fundamental and common laws and customs of England," they set these laws and customs down in one column, beginning with Magna Charta, and, in another column, the corresponding provisions in the "Fundamentals of the Massachusetts;" and they followed up this comparison with a reply to the several complaints of the remonstrants, comprising a circumstantial explanation and vindication of their own proceedings in ecclesiastical and civil affairs.[1]

It being understood that two of the remonstrants, Fowle and Smith, were about to embark for England, to prosecute their business, the Court stopped them with a summons to appear and "answer to the matter of their petition." They replied by an appeal "to the Gentlemen Commissioners for Plantations;" and "the Court committed them to the

Proceedings against the malecontents

[1] The relation of the subject to Presbyterian politics leaks out even in this paper, when there were motives for forbearing to call attention to it. "The last year a motion was made in Court of complying with our native country in the National Covenant there, which was referred to further consideration." "They [the remonstrants] profess to approve of the Covenant lately imposed by the Honorable Houses of Parliament." (Declaration, &c., in Hutchinson, Collection, 209, 215; see above, pp. 79, 80.)

custody of the marshal till they gave security to be responsal to the judgment of the Court." The whole seven were next arraigned as authors of "diverse false and scandalous passages in a certain paper . . . . . against the churches of Christ and the civil government here established, derogating from the honor and authority of the same and tending to sedition." Refusing to answer, and "appealing from this government, they disclaimed the jurisdiction thereof."[1]

This was more than Presbyterian malecontents could be indulged in, at the present critical time, in Massachusetts. The Court found them all "deeply blamable," and punished them by fines, which were to be remitted on their making "an ingenuous and public acknowledgment of their misdemeanors;" a condition of indemnity which they all refused, probably in expectation of obtaining both relief and applause in England. Child was fined fifty pounds; Smith, forty pounds; Maverick (who either had not joined the rest in their appeal, or had withdrawn from it), ten pounds; and the others, thirty pounds each. Four Deputies opposed the sentence. Three Magistrates, Bellingham, Saltonstall, and Bradstreet, also dissented.[2]

In consideration of the plots of Gorton and Child, and

[1] Mass. Rec. III. 89, 90.

[2] Ibid., 94; Winthrop, II. 356.— Bellingham was always, in these times, opposed to Winthrop; and Bradstreet was much under Bellingham's influence. Saltonstall too was his intimate friend. But it was also natural that Saltonstall should be biassed, on this occasion, by consideration for his father. Sir Richard Saltonstall was in England, engaged with the Independents in their struggle against the Presbyterians, who, when accused of carrying matters with a high hand, retorted by referring the Independents to the strictness of their own friends in New England. This inclined Sir Richard to interest himself with the Massachusetts Magistrates in favor of greater indulgence towards dissentients, which he did in a letter sometimes referred to in proof of his peculiarly liberal spirit. (Mass. Hist. Coll., XIV. 171.) Vane's position was the same; and he also wrote to Winthrop (June 10, 1645), expressing his apprehensions, "lest while the Congregational way among you is in its freedom, and is backed with power, it teach its oppugners here to extirpate it and root it out, from its own principles and practice." (Hutch. Coll., 137.)

their respective friends, "it was thought needful to send some able man into England, with commission and instructions to satisfy the Commissioners for Plantations." The Governor, and Mr. Norton, minister of Ipswich, were thought of for the agency; but it was feared that the Governor might be detained in England by the rising party for the sake of his valuable aid in Parliament. It was finally determined to employ Edward Winslow, of Plymouth, "both in regard of his abilities of presence, speech, courage, and understanding, as also being well known to the Commissioners." It was material that Winslow should be precisely instructed as to the relation in which the Colony "stood to the state of England; whether our government was founded upon our charter or not; and if so, then what subjection we owed to that state." In a conference which was held upon the subject, the relation of Massachusetts to England was compared with that of Burgundy and Flanders to France, which was not inconsistent with "absolute power of government." And in the formal declaration which the Elders drew up, at the request of the Court, they said: "We conceive that, in point of government, we have, granted by patent, such full and ample power of choosing all officers that shall command and rule over us, of making all laws and rules of our obedience, and of a full and final determination of all cases in the administration of justice, that no appeals or other ways of interrupting our proceedings do lie against us."[1]

Mission of Winslow to England.

[1] Winthrop, II. 278–283; comp. Mass. Rec., II. 162, 171, 175. — Peter and Welde had had their agency terminated by a vote of the Court, of Oct. 1, 1645. (Mass. Rec., II. 137.) John Pocock, one of the original Assistants under the charter, had been associated with them (Winthrop, II. 212), and, after their dismission, was in charge of the Colony's affairs, till Winslow's arrival.

It is probable that Governor Haynes, of Connecticut, went out with Winslow, and remained in England as much as a year and a half. "Mr. Winslow set sail from Boston about the middle of December, 1646." (Winthrop, II. 317.) In the preceding month, the General Court of Massachusetts had desired to give Winslow a colleague, but had not been able to effect it.

Being informed that Child and Dand were preparing to go to England with a petition to the Parliament from a number of the non-freemen, the Magistrates made a seizure of their papers. The searching officers "found the copies of two petitions and twenty-three queries, which were to be sent to England to the Commissioners for Plantations." These papers complained of civil and ecclesiastical maleadministration in the Colony, and of personal injuries done to the petitioners. They prayed, among other things, "for settled churches according to the Reformation of England;" for the establishment, in the Colony, of the laws of the realm; and for the appointment of "a General Governor, or some honorable Commissioners," to reform the existing state of things. They submitted various inquiries as to the chartered rights of the Massachusetts Company on the one hand, and their practice on the other, accompanied with sufficiently explicit intimations, not only that the Company had forfeited their charter, but that they had been guilty of treason.[1] For this new offence, such of the conspirators as remained in the country were punished by additional fines. Child and Dand were sentenced to pay two hun-

(Mass. Rec., II. 175.) They at the same time applied to the other Colonies to bear their part in the expense of Winslow's mission. (Ibid. 165; comp. III. 79.) Connecticut may well have been inclined to have her own representative on this errand. There is a letter from Hooker, of Hartford, to his son-in-law, Shepard, of Cambridge, not dated, but evidently written in the autumn of 1646, in which he mentions writing "letters" for England, by our honored Mr Haynes, who intends, God willing, to go by the next passage." Mr. Haynes was "half-way from Connecticut" to Boston, November 4, when he was overtaken by "a most dreadful tempest." (Winthrop, II. 278.) And between that time and October 17, 1648 (Conn. Rec., I. 167), his name never appears in the lists of Magistrates present at the Courts, though he was chosen Governor in May, 1647, and a Magistrate in May, 1648.

[1] Winthrop, II. 293. Hutchinson, I. 138, 139. From Hutchinson's minute account of these papers, I presume he had seen them. — Winthrop says (II. 294): "We could hear of but twenty-five [subscribers] to the chief petition, and those were (for the most part) either young men who came over servants, and never had any show of religion in them, or fishermen of Marblehead, profane persons."

dred pounds each; Smith and Burton, a hundred pounds each; and Maverick, a hundred and fifty pounds.[1] Winslow after a while was followed by Child to England, where he was hard pressed before the Commissioners for Plantations, as well as attacked by Child's brother in a vigorous pamphlet.[2]

1647.

But the tide was now on the turn. Presbytery could no longer be arrogant in England. Winslow commanded the favorable attention of a powerful party, when, in a printed reply to Child's book, he professed to prove that the Massachusetts government had proceeded blamelessly and liberally, and that the conduct of the remonstrants had been factious and seditious.[3] The Presbyterians in Parliament had now neither leisure to bestow on the distant colonists, nor courage to provoke the ubiquitous and sturdy Independents; and Child and two of his confederates, who had accompanied him to England, imme-

[1] Mass. Rec., III. 113, 114.

[2] Its title, "New England's Jonas cast up at London," &c., referred to the safe arrival at London of the petition to Parliament. It was said (New England's Jonas, &c., 18), that Cotton, in a sermon at Boston just before the sailing of the ship that bore the petition, had recommended that, if she met with stormy weather, her company should for their safety treat it as the Tarshish sailors had treated the prophet. — The author of the pamphlet did his best to put Parliament on its guard against the ambitious aims of the New-Englanders. (Ibid., 19 – 22.)

[3] New England's Salamander discovered by an Irreligious and Scornful Pamphlet, &c. — By the phrase "Salamander discovered" was indicated Winslow's supposed detection of Vassall as the real author of the piece. "Whom I call New England's Salamander, because of his constant and many years' exercise and delight in opposition to whatsoever hath been judged most wholesome and safe for the weal-public of the country from whence he last came, either in politics or ecclesiastics." (New England's Salamander, &c., 1.) The reader who has borne in mind the state of affairs in Parliament, and in England generally, at this time (1647), understands the solicitude which Winslow shows in this tract (2, 3), as well as in "Hypocrisie Unmasked" (see Vol. I. 489, note 2), to have it understood that Presbyterians were not persecuted in Massachusetts. On the other hand, he used no reserve respecting the political claims of his constituents. "If the Parliament of England should impose laws upon us, having no burgesses in their House of Commons, not capable of a summons by reason of the vast distance of the ocean, being three thousand miles from London, then we should lose the liberty and freedom I conceived of English indeed." (New England's Salamander, &c., 24.)

diately saw that they were engaged in an undertaking which could produce nothing but harm to themselves. "Dr. Child preferred a petition to the Committee against us, and put in Mr. Thomas Fowle's name among others; but he, hearing of it, protested against it, for God had brought him very low, both in his estate and in his reputation, since he joined in the first petition." Child was prevailed upon by his friends "to give it under his hand never to speak evil of New-England men after, nor to occasion any trouble to the country, or to any of the people." "Mr. Vassall, finding no entertainment for his petitions, went to Barbadoes. As for those who went over to procure us trouble, God met with them all." And before the King's death, the Massachusetts Magistrates had the happiness of hearing from their agent, that "the hopes and endeavors of Dr. Child and other the petitioners had been blasted by the special providence of the Lord, who still wrought for" his people.[1]

Ill success of the appeal to England.

1648. Dec. 3.

Before the reception of this intelligence, the Synod also had done its work; and Independency, — or Congregationalism, as in New England it had come to be more generally called, — adopting some modification of its original theory, formally recognized an arrangement designed to introduce order and unity, and to create a capacity for more efficient action and influence than now seemed to have been provided for in the original frame of the churches. The constitution of the Independent congregations in England was strictly indicated by the name which they bore. Each was competent in itself to all ecclesiastical offices, and there was no instituted connection among them, nor established method of joint or mutual action.[2] In their infancy they

Result of the Synod.

[1] Winthrop, II. 321, 322.

[2] I do not mean to say that the idea of Congregational Synods, or Councils, as they came into universal use in New England, was never entertained by the English Independents. It had

had been so separate and so inconsiderable, that they could scarcely be said to have any common interests to watch over, — at all events, to be in any condition to take care of common interests by common counsels. When they suddenly emerged from this obscurity, they found a degree of safety under the protection of the supreme authority of the empire; and, at the same time, obvious considerations forbade them to establish a definite system which would be offensive to the sectaries, of various names, whose good-will was desired in the contest they were maintaining. The position of their friends in New England was different in all these respects. From the beginning, events had impressed on them the sense of a common responsibility and a common danger. Every year's experience and reflection had been bearing testimony to the feebleness and other inconveniences of a complete insulation from each other. Nor was there anything in their political position to embarrass them in applying the proper remedy. On their own ground they were the conservative party. From the fanatics around them, whom a system of union and order might displease, there was nothing to be hoped, but something to be feared; and such a system would be a security against their unfriendly attempts.

been entertained even so early as by Robert Browne (see above, p. 86, note 1); and, whether revived by themselves, or adopted from Cotton (whose "True Constitution" was published in 1642), the Independent ministers in the Westminster Assembly had the conception of such a tribunal as early as 1643, when they sent to Parliament their "Apologetical Narration." (See above, p. 85, note.) But I do not learn that a corresponding practice was ever adopted extensively among the Independents of England; and ten years after the time of which I am writing, the Savoy divines said in their Confession (1658): "There has been no association of our churches, no meetings of our ministers, to promote the common interest. Our churches are like so many ships launched singly and sailing apart and alone in the vast ocean of these tumultuous times, exposed to every wind of doctrine; under no other conduct than the word and the spirit, and their particular elders and principal brethren, without associations among themselves, or so much as holding out a common light to others." (Neal, II. 690; comp. 692.)

The idea of finding a bond of union among single churches in a common subjection of them to an episcopal or presbyterian jurisdiction, had been discarded, so far as it had been ever entertained. But, if a church had a right not to be harmed by coercion, so the churches had a claim for some security against the evil example or evil repute of any church, and against other ill consequences of an uncongenial association; and, for purposes of the common advantage, they had a claim to each other's support and aid, so far as these might be obtained without violence done to the will of any one.

If, among possible methods of giving the order, safety, and energy of union to a number of communities, the method of compulsion was to be rejected, there remained only the method of influence, to be applied through counsel, argument, persuasion, example, and other such addresses to reason, conscience, sentiment, and interest. This method is so obvious as to require no rule to dictate it; it comes into use of itself, where circumstances present no obstacle; and accordingly, from an early period of New-England history, we find instances of a church encouraged or expostulated with by another church, or by churches, or by magistrates, or by ministers, on occasions of special interest, or on apprehensions of erroneous belief or practice.[1]

What good judgment thus approved as fit to be done, what experience had shown to be frequently desirable, and, above all, what the example of the primitive Church was believed to sanction, was fit to be formally recognized as a regular way of proceeding, and to be put into shape by such definite provisions as would secure it against abuse, and obtain for it public respect and confidence. There was also manifest occasion for conferring so much authority as might be perfectly consistent with

[1] See Vol. I. 296, 350, 406, &c.; Winthrop, II. 277.

the integrity of all the rights that might be involved. Common sense teaches, independently of ecclesiastical precedents, that if, in a voluntary association, one party finds itself suffering, in respect to quiet or to credit, from objectionable professions or practices of another, it has a right formally and peaceably to dissolve the tie and go its separate way.

Ecclesiastical Councils.

This is the principle of Ecclesiastical Councils, — or, as they were more usually termed, *Synods*, — which, early grafted in New England on the original scheme of Independency, may properly be considered as the specific difference of the *Congregational* system; — a system which in modern times has existed nowhere except in New England, and in some few separate communities of New-England origin. The organizing minds of Cotton, Hooker, Norton, and their associates, regarded this arrangement as sufficient to give the needed cohesion to the churches whose welfare they had at heart, and at the same time as free from the objection of being a fit instrument for invasion of the churches' liberties. What was more material, they believed it to be "after the pattern shown in the mount;" and, claiming for it a decisive authority, they argued with great copiousness, acuteness, and learning, that, like other features of the Congregational order, it belonged to the system positively instituted by the Apostles, when they first made converts and founded churches. A Congregational Council, or *Synod*, as they conceived of it, was not a permanent body, like the Classes, Synods, and General Assembly of a Presbyterian church. It was summoned for a special occasion; it was composed of clerical and lay delegates from such and so many of the neighboring churches as circumstances made it convenient for the parties interested to convoke; and its existence ceased when the occasion was over. It had no power to act immediately on individual Christians. Its judgment and

will, if carried into effect at all, were carried into effect by the individual church or churches to which its counsel was addressed. And, in the case of a rejection of its advice by the party concerned, the highest act of authority to which it was competent was, if the debated question were deemed sufficiently important, to withdraw the countenance and fellowship of the churches represented in it from the offending church, thus making public their sense of its ill-desert, and their own exemption from responsibility.

The second meeting of the Cambridge Synod was broken up after a few days by the prevalence of an epidemic sickness.[1] Its last and only important session continued nearly a fortnight.[2] By a unanimous vote it approved the "Confession of Faith" of the Westminster divines, except as to those parts of the document which favored the Presbyterian discipline.[3] Its own plan of government it exhibited in "A Platform of Church Discipline, gathered out of the word of God, and agreed upon by the Elders and Messengers of the Churches assembled in the Synod at Cambridge in New England, to be presented to the Churches and General Court for their consideration and acceptance in the Lord."[4] In describing the consti-

1647. June 8.

1648. Aug. 6.

Cambridge Platform.

[1] Winthrop, II. 308, 309. — Mr. Rogers, of Rowley, preached before the Synod, and "reproved the practice of private members making speeches in the church assemblies." He had no mind to have New England brought to an experiment of the exhorters whom Cromwell was hardly able to restrain when "the Lord had no more need of them."

[2] Ibid., 331.

[3] Platform of Church Discipline, Præf., 2. The copy which I use is one of an edition published by Winslow in London in 1653, in small quarto. The Platform may be found in Mather's Magnalia (Book V.), and elsewhere.

[4] The "Way of the Congregational Churches Cleared," by John Cotton, and Thomas Hooker's "Survey of the Summe of Church Discipline," were published this year in London; and copies of the latter had been received in New England three months before the meeting of the Synod. (See Vol. I. 582.) Hooker had presented his treatise to his clerical brethren at a meeting at Cambridge more than three years before. It was generally approved by

tution of churches as to members, officers, authority, duties, and methods of administration, the Platform merely defines the principles and practices which had all along distinguished the Independent body. It recognizes the prerogative of occasional Synods, composed of "Elders and other messengers" of churches, to give advice and admonition, and in extreme cases to withhold fellowship (or participation in religious services and functions) from an offending church; "but not to exercise church censures in way of discipline, nor any other act of church authority or jurisdiction."[1] It allows the ordination of officers of a

them (Præf. near the end), and a copy was despatched to England to be printed. It never arrived there, and Hooker, whether he had some emendations in mind, or for some other cause, "could not be persuaded to let another copy go over; but, after his death, a copy was sent." (Winthrop, II. 248, 249; comp. Hooker, Survey, &c., Epistle to the Reader; Præf.) The vessel in which Hooker's manuscript was lost, was that which, in the Connecticut legends, and by Longfellow's beautiful poem (comp. Winthrop, II. 266), is known as "Captain Lamberton's Phantom-ship."

Cotton was the person who, on the whole, must be considered to have had the largest agency in reducing Independency into a working system for a large community. In a letter addressed by him to a friend in England, in the year after the meeting of the Long Parliament, he energetically repelled the imputation of Brownism, — or, as he expressed it, of "disclaiming the churches in England as no churches, but as limbs of the devil;" and he declared that violence of this kind was one of the offences which had brought Roger Williams under censure in Massachusetts. (Copy of a Letter of Mr. Cotton, of Boston, in New England, &c., 1, 2.) Objecting to *Independency* as "a fit name of the way of our churches," he described it as "too strait," "because we do profess dependence upon magistrates for civil government and protection; dependence upon Christ and his word, for the sovereign government and rule of our administrations; dependence upon the counsel of other churches and synods, when our own variance or ignorance may stand in need of such help from them." "To distinguish our way from a national church way, I know none fitter," he said, "than to denominate theirs *Classical*, and ours *Congregational*." (Way Cleared, &c., 11; comp. Hooker, Survey, Part II. Chap. III., where, on the contrary, the use of "the distasteful terme" is defended and explained.) And his fifth Chapter is on "The Fruits of Congregational Discipline," in distinction from the fruits of "those corrupt sects and heresies which shroud themselves under the vast title of Independency." (103.) *Congregational* is the name given to the churches by the divines of the Cambridge Synod in their Preface to the Platform (4 – 8).

[1] Chap. XV. § 3; XVI. §§ 5, 6. Comp. "Thirty-two Questions Answered," &c., 64, 65; Cotton, Keys, &c., 23, 47, 53; Way, &c., 105.

church by officers of other churches, thus introducing a relaxation of the primitive rule.[1] And, as a last resort for the protection of peace and purity, it looks to the intervention of the civil power. "Idolatry, blasphemy, heresy, venting corrupt and pernicious opinions that destroy the foundation, open contempt of the word preached, profanation of the Lord's day, disturbing the peaceable administration and exercise of the worship and holy things of God, and the like, are to be restrained and punished by civil authority. If any church, one or more, shall grow schismatical, rending itself from the communion of other churches, or shall walk incorrigibly or obstinately in any corrupt way of their own, contrary to the rule of the word, in such case the magistrate is to put forth his coercive power, as the matter shall require."[2]

It is no matter of surprise that an ecclesiastical assembly should thus seek to enlist the government in support of its opinions and its authority. But it does not appear that the government was forward to assume such a responsibility, or to be a party to any sharper definition of the connection between Church and State than circumstances, from time to time, might call for. Presbytery was not likely soon to give trouble again, from abroad or at home; the churches were not for the present so ill able to manage their own affairs, as to make it neces-

[1] "In such churches where there are elders, imposition of hands in ordination is to be performed by those elders. In such churches where there are no elders, imposition of hands may be performed by some of the brethren orderly chosen by the church thereunto." (Platform, Chap. IX. 3, 4; comp. Thirty-two Questions Answered, 69.) Such had been the primitive practice and rule, and it had had the unquestioning approbation of Cotton (Keys, &c., 12, 21, 28, 37, 55; Way, &c., 41, 50, 114), and the approbation of Hooker (Survey of the Summe of Church Discipline, II. 77). Hooker, however, thought that an elder might, at a church's desire, be ordained in it by elders of other churches (Ibid., 59), and the Platform (Chap. IX. § 5) allowed the innovation: "In such churches where there are no elders, and the church so desire, we see not why imposition of hands may not be performed by the elders of other churches."

[2] Platform, Chap. XVII. §§ 8, 9; comp. Cotton, Keys, &c., 50 *et seq.*

sary to their welfare that there should be a public settlement of questions, some of which were of a nice and embarrassing nature, and might lead to an inconvenient discussion with acute and opinionated men. More than a year had passed after the dissolution of the Synod, when

1649. Oct. 19. the General Court resolved "to commend it [the Platform] to the judicious and pious consideration of the several churches within the jurisdiction, desiring a return . . . . . how far it was suitable to their judgments and approbation, before the Court pro-

1651. Oct. 14. ceeded any further therein." At the end of two years more, they disposed of the business by a brief declaratory vote, giving "their testimony to the said Book of Discipline, that, for the substance thereof, it was that they had practised and did believe."[1]

Questions of civil and religious liberty, and of church organization, were not the only matters of common interest between the leaders of affairs in New England and their friends in the parent country. To convert the natives to a Christian faith and practice was an object of solicitude with the settlers, in which they sought and found the sympathy and aid of fellow-believers in England.

Conversion of the Indians.

The reader has observed what a generous purpose in this respect was cherished by the colonists both of Plymouth and of Massachusetts.[2] Their enthusiasm had not properly estimated the difficulties they would have to struggle against. They must, indeed, have anticipated that time and pains would be needed, to establish friendly relations with the natives, and to learn the languages which must be the medium of instruction. But they were uninformed as to the unpromising structure, intellectual and moral, of the minds which they proposed to address. And they could not make fit allowance beforehand for

[1] Mass. Rec., II. 285; III. 177, 240; IV. (i.) 57; comp. Hubbard, 537.

[2] See Vol. I. 147, 292.

those wants and hardships of their own, which for a time were to afford sufficient employment to the thoughts of every day, nor for the engrossing solicitude with which at a little later period they were oppressed for the preservation of their religious and political immunities. Had they been encouraged by finding in their new neighbors an aptness to be taught, they would without doubt have managed to profit by it, notwithstanding unfavorable circumstances. But the first lesson enforced upon their minds by their observation of the stupid barbarians whom they encountered was, that the making of Christians out of such materials would be no simple task.

Still they were never indifferent about the religious condition of the savages around them, nor unconcerned to use such opportunities as occurred for their instruction and improvement. The Plymouth people did what they could for their native visitors, in the way of occasional teaching; and it was a great satisfaction to them that Squanto, when about to die, "desired the Governor to pray that he might go to the Englishman's God in heaven,"[1] and that Hobbomok "could never be gotten from the English nor from seeking after their God, but died amongst them, leaving some good hopes in their hearts that his soul went to rest." In Massachusetts, Sagamore John, near Watertown, "began to hearken after God and his ways." He was "kept down by fear of the scoffs of the Indians," but on his death-bed "sent for Mr. Wilson to come to him, and committed his only child to his care." "Divers of the Indians' children, boys and girls," received into English families as servants, "began to understand in their measure the grounds of Christian religion;" and "some would use to weep and cry when detained by occasion from the sermon." "An Indian maid at Salem ..... knew herself naught for present, and like to be miserable for ever, un-

Early indications of readiness to receive Christianity.

[1] Bradford, History, 128.

less free grace should prevent it, and after this grew very careful in her carriage, proved industrious in her place, and so continued." A native rebuked an Englishman "for profaning the Lord's day by felling of a tree;" and a Sagamore enjoined upon his subjects, "that none of them should kill pigeons upon the Sabbath-day any more." In Connecticut, "that famous Indian Wequash, who was a captain, a proper man of person, and of a very grave and sober spirit, ... seeing and beholding the mighty power of God in the English forces, how they fell upon the Pequots, ... from that time was convinced and persuaded that our God was a most dreadful God." "In the use of means, he grew greatly in the knowledge of Christ, and in the principles of religion, and became thoroughly reformed according to his light." Attacked with mortal sickness, he rejected the help of a powow, "and so yielded up his soul into Christ's hands." It was thought that "one mean amongst others, that had thus far won these poor wretches to look after the Gospel, had been the dealings and carriages which God had guided the English to exercise towards them."[1]

The hope thus inspired of the existence among the natives of some degree of capacity for the reception of the Gospel, concurred with the comparative leisure and repose of the time to revive attention to the object which had never been lost sight of. The General Court of Massachusetts passed an Order "that the County Courts in this jurisdiction should take care that the Indians residing in their several shires should be civilized, and that they should have power to take order from time to time to have them instructed in the knowledge and worship of God." The Elders were

Action of the General Court. 1644. Nov. 19.

[1] New England's First Fruits, &c., 1–8. (Comp. Winthrop, II. 121, 122.)—This work was published in London, in 1643, "at the instant request of sundry friends, who desired to be satisfied in these points by many New-England men who were there present, and were eye or ear witnesses of the same."

informed "of the ready mind of the Court, upon mature deliberation, to enact what should be thought meet to bring the natives to the knowledge of God and his ways," and were invited to "return their thoughts about it." Next it was "ordered and decreed that two ministers should be chosen by the Elders of the churches every year, at the Court of Election, and so to be sent, with the consent of their churches, with whomsoever would freely offer themselves to accompany them in that service, to make known the heavenly counsel of God among the Indians in most familiar manner, by the help of some able interpreter, as might be most available to bring them to the knowledge of the truth, and their conversion to Jesus Christ; and, for this end, that something might be allowed them by the General Court to give away freely to those Indians whom they should perceive most willing and ready to be instructed by them."[1] 1645. Oct. 1. 1646. Nov. 4.

The General Court of Massachusetts was thus the first Missionary Society in the history of Protestant Christendom.[2] A week before it passed this order, John Eliot had made his first essay in preaching to the Indians. Now forty-two years old, he had been fourteen years the greatly respected teacher of the church of Roxbury.[3] Whether with a view from the first to the *apostleship* which he was now assuming, or for mere purposes of personal convenience, or for the gratification of a taste for philological studies (in which he was said to have excelled at the University), he had been for a considerable time endeavoring to master the language of the natives. Falling in with "a pregnant-witted young man, who had been a servant in an English house, who pretty well understood his own language, and had a clear pro- The apostle John Eliot.

[1] Mass. Rec., II. 84, 134, 178, 179.

[2] Perhaps, however, there was a Dutch mission to Ceylon a little earlier.

[3] For some of his antecedents, see Vol. I. 357. The Reverend Dr. Convers Francis has published an excellent Life of John Eliot, in Sparks's American Biography, Vol. V.

nunciation," he took him into his family; and having first, with his help, qualified himself to translate the Lord's Prayer and the Decalogue, he was able to proceed with more ease to get possession of a larger vocabulary, and to obtain an insight into the curious principles of the composition of words and sentences in the Indian tongues.[1]

Beginning of his missionary labors.

In an interview with some natives, he "told them that they and we were already all one, save in two things, which make the only difference betwixt them and us; — first, we know, serve, and pray unto God, and they do not; secondly, we labor and work in building, planting, clothing ourselves, &c., and they do not; — and, would they but do as we do in these things, they would be all one with Englishmen. They said they did not know God, and therefore could not tell how to pray to him nor serve him." He told them he "would come to their wigwams, and teach them, their wives and children, which they seemed very glad of."[2]

Visit of Eliot and others to Indians near Watertown. Oct 28.

Accordingly, Eliot, with three others (one of whom was probably Wilson, pastor of Boston), "having sought God, went unto the Indians inhabiting within our bounds, with desire to make known the things of their peace to them." They were met by five or six natives, at a little distance from a cluster of wigwams by the falls of Charles River, and conducted to a hut, where they found "many more Indians, men, women, children, gathered together from all quarters round about." The service began with a prayer in English; after which Eliot, in a sermon in the Indian language, "ran through all the principal matters of religion." It lasted an hour and a quarter, and was so favorably received by the listeners as to delight their friends "that they should smell some things of the alabaster-box broken

[1] Eliot, Indian Grammar, 66; comp. Glorious Progress of the Gospel, 19.

[2] Letter of Eliot, in Shepard's Clear Sunshine of the Gospel, 17.

up in that dark and gloomy habitation of filthiness and unclean spirits." The visitors "asked them if they understood all that which was already spoken, and whether all of them in the wigwam did understand, or only some few; and they answered to this question with multitude of voices, that they all of them did understand all that which was then spoken to them." A number of questions were put and answered on both sides; and "after three hours thus spent with them," and another prayer, Eliot and his friends, "having given the children some apples, and the men some tobacco, and what else they then had at hand, ... departed with many welcomes." Before the end of the year, three other visits, with intervals of a fortnight, were made to the same place. The attendance of natives was continually on the increase; they received instruction and counsel with respectful attention; and on the whole it was thought that there had been "hopeful beginnings."[1] Nov. 11, 25, Dec. 9.

The interest in the undertaking increased and spread. "As soon as ever the fierceness of the winter was past," the missionary labors were resumed with zeal. Shepard, of Cambridge, relates that he "went out to the Indian lecture, where Mr. Wilson, Mr. Allin, of Dedham, Mr. Dunster [President of Harvard College], beside many other Christians, were present."[2] Great encouragement was derived from the belief that this 1647. March.

[1] A circumstantial account of the four meetings mentioned above is given in "The Day-Breaking, if not the Sun-Rising of the Gospel, with the Indians in New England," published in London in 1647. The author was probably John Wilson, Pastor of Boston. In a short Preface, Nathaniel Ward (formerly of Ipswich, now in London) says: "He that penned these following relations is a minister of Christ in New England, so eminently godly and faithful, that what he here reports, as an eye or an ear witness, is not to be questioned." Comp. Winthrop, II. 303, 304.

[2] Clear Sunshine, &c., 6. (This tract, published in 1648, had been sent by Shepard in the preceding year to Winslow, then in London; comp. "Clear Sunshine," 1, with "Glorious Progress," 2.) Dunster, it seems, had had this business at heart six years and more: — "Master Henry Dunster, schoolmaster of Cambridge, deserves commendations above many; he hath

"forlorn generation,"[1] "these poor natives, the dregs of mankind, and the saddest spectacles of misery of mere men upon earth," alien "from common civility, almost humanity itself," were still not an originally incapable, but a "degenerate race,"[2] the barbarized remains of the ten Israelitish tribes who were scattered at the time of the Assyrian conquest.[3] It was understood to be the Divine purpose to have those children of Israel conducted back to the fold before "the fulness of the Gentiles" should be "brought in;" and the hope that, by the strange concurrence of recent circumstances, this dawn of the millennial golden age was to be made to brighten in the West, was full of excitement to the devout imagination of the laborers in this uncouth vineyard.

But Eliot and his associates were no visionaries, to trust entirely to their interpretation of prophecy, or to a supernatural power to attend upon preaching. They

the platform and way of conversion of the natives indifferent right, and much studies the same; ..... he will, without doubt, prove an instrument of much good in the country, being a good scholar, and having skill in the tongues; he will make it good, that the way to instruct the Indians must be in their own language, not English." (Lechford, 52, 53.) In Bishop Hall's "Diverse Practical Cases of Conscience Resolved" (323), is the following passage: "O that we could approve to God and our consciences, that this ['the propagation of Christian religion'] is our main motive and principal drift in our Western plantations. But how little appearance there is of this holy care and endeavor, the plain dealer upon knowledge hath sufficiently informed us; although I now hear of one industrious spirit that hath both learned the language of our new islanders, and printed some part of the Scripture in it, and trained up some of their children in the principles of Christianity." By "the plain dealer," the reader naturally understands Thomas Lechford, who entitled his work "Plaine Dealing." But Bishop Hall's book was published in 1649, when no part of the Scripture had been printed in a translation into the Indian language; and his preface is dated Sept. 12, 1648. I think it likely that his memory confounded what he may have heard concerning Eliot's plan of translating the Bible with what he had read in Lechford's book respecting Dunster. Lechford, while in America, had expressed, in a letter, his approbation of an earlier work of Bishop Hall, and when he afterwards published this letter in England (Plaine Dealing, 69), would naturally make court to the Bishop by placing it in his way.

[1] True Relation, &c., 1.

[2] Day-Breaking, &c., 14, 15, 19.

[3] Glorious Progress, &c., Epistle Dedicatory, 73, 93, 95; Appendix to do., 22 – 24; Light Appearing, &c., 14, 16; comp. Thorowgood, Jewes in America.

believed that that Divine blessing which was hoped for would follow the use of means such as it belonged to a benevolent human wisdom to devise. From the first period of Eliot's attention to the subject, he perceived that some degree of civilization of the Indians must precede any development among them of the Christian character.[1] He lost no time in respect to "preparations for the schooling" of the children.[2] As the conditions of the undertaking disclosed themselves, he saw the importance of endeavoring to train his converts to industrious habits in agriculture and some easy mechanical arts,[3] and of bringing them together in compact settlements of their own, where, withdrawn from unpropitious influences, they might be favorably influenced by their Christian neighbors and by one another, and where they might have the profitable mental and moral discipline incident to an administration of their own affairs.[4]

The government were disposed cordially to second these efforts. They "appointed a committee to treat ..... about such parcels of land which they, with Mr. Shepard, Mr. Allin, and Mr. Eliot, should conceive meet to purchase for the encouragement of the Indians to live in an orderly way."[5] Ten pounds were voted to Mr. Eliot, "as a gratuity from

Further action of the government. 1646. Nov. 4.

[1] "I confess I think no great good will be done till they be more civilized." (Day-Breaking, &c., 16.) "I find it absolutely necessary to carry on civility with religion." (Glorious Progress, &c., 16.)

[2] Day-Breaking, &c., 24; Clear Sunshine, &c., 38; Further Discovery, &c., 18.

[3] Clear Sunshine, &c., 28; Glorious Progress, &c., 15.

[4] Clear Sunshine, &c., 3; Glorious Progress, &c., 8, 16, 18. — As to the system of laws which they were to be instructed to live under, "I have advised," says Eliot, "with Mr. Cotton and others about it, and this I propound as my general rule through the help of the Lord: — They shall be wholly governed by the Scriptures in all things both in Church and State; they shall have no other lawgiver; 'The Lord shall be their Lawgiver, the Lord shall be their Judge; the Lord shall be their King, and he will save them.'" (Further Discovery, &c., 23; comp. 28.) The last sentence in this quotation was the motto attached to Cotton's scheme of Laws for Massachusetts. (See above, p. 25, note.)

[5] Mass. Rec., II. 166; comp. Day-Breaking, &c., 22.

the Court, in respect of his great pains and charge in instructing the Indians in the knowledge of God."[1] The Magistrates were directed to take care to have a Court held "once every quarter, at such place or places where the Indians did ordinarily assemble to hear the word of God," with permission to the Indian chiefs "to bring any of their own people to the said Courts, and to keep a Court of themselves once every month."[2] Eliot availed himself of the meeting of the Synod to secure for his object the essential aid of the clergy. "There was a great confluence of Indians from all parts;" and he delivered "an Indian Lecture." It was conceived to be not unseasonable at such a time, "partly that the reports of God's work begun among them might be seen and believed of the chief who were then sent and met from all the churches of Christ in the country, who could hardly believe the reports they had received concerning these new stirs among the Indians; and partly hereby to raise up a greater spirit of prayer for the carrying on of the work begun upon the Indians, among all the churches and servants of the Lord Jesus." The scene "did marvellously affect all the wise and godly ministers, magistrates, and people, and did raise their hearts up to great thankfulness to God."[3]

1647. May 26.

June 8.

Trophies of the assault upon Indian godlessness were presently gathered from various places. On the Neponset, by Dorchester, was a cluster of wigwams, which owned the sway of Cutchamaquin. Eliot had visited them six weeks before his more encouraging attempt at the place which engaged his

Preaching at Dorchester and other places.

[1] Mass. Rec., II. 189.

[2] Ibid., 188. This scheme, Eliot says, originated with themselves. "They desired that they might have a Court among them for government, at which motion we rejoiced, seeing it came from themselves, and tended so much to civilize them; since which time I moved the General Court in it," &c. (Clear Sunshine, &c., 28.)

[3] Clear Sunshine, &c., 11; comp. Winthrop, II. 308.

principal attention.[1] Cutchamaquin never became a satisfactory convert, but some of his subjects manifested a more docile spirit. "The awakening of these Indians raised a great noise among all the rest round about." A message came to Eliot from the Indians about Concord, desiring him "to preach, as he could find time, among them;" and they adopted a rude code of rules, drawn up for them by Simon Willard of that place.[2] A visit to Yarmouth, for a different purpose, afforded Eliot opportunity for "speaking with, and preaching to, the poor Indians in the remote places about Cape Cod;"[3] but this was followed by no important success. With the savages who met every year at "a great fishing-place upon one of the falls of the Merrimack," and especially with the family and subjects of "old Papassaconaway, who was a great sagamore, and had been a great witch in all men's esteem," he flattered himself that he labored to better effect.[4] "Some of Sudbury Indians, some of Concord Indians, some of Mystic Indians, and some of Dedham Indians were ingenious, and prayed unto God, and sometimes came to the place where he taught, to hear the word." From Lynn, where all the rest were "naught," "one sometimes came to hear the word, and tell him that he prayed to God." At Quaboag (Brookfield), whither the sachem of the place conducted him with a guard of twenty men, Eliot "found sundry hungry after instruction."[5]

[1] Day-Breaking, &c., 3.

[2] Clear Sunshine, &c., 2–4; comp. Willard, Life and Times of Major Simon Willard, 156.

[3] Clear Sunshine, &c., 8.

[4] Glorious Progress, &c., 9, 10.

[5] Further Discovery, &c., 21. — Eliot asked a Narragansett sachem, "why they did not learn of Mr. Williams, who had lived among them divers years. And he soberly answered, that they did not care to learn of him, because he was no good man, but went out and worked upon the Sabbath-day." (Clear Sunshine, &c., 31.) "In Rhode Island and Providence Plantations," wrote Daniel Gookin so late as 1674, "there are sundry English live, that are skilful in the Indian tongue, especially Mr. Williams of Providence, of whose endeavors I have heard something that way. But God hath not yet honored

Still earlier, by individual enterprise, an experiment of the same nature had been made on an island, near to Massachusetts, which had lately come under the jurisdiction of that Colony.[1] Thomas Mayhew, and his son, of the same name, had gone from Watertown to Martha's Vineyard, for which they had obtained a patent from the Earl of Stirling.[2] The deplorable condition of the natives among whom they lived attracted their benevolent attention. One after another of the savages listened to their exhibitions of Christianity.[3] One in particular, named Hiacoomes, was thought to give unquestionable evidence of genuine conversion to God by his edifying discourse and holy life and conversation.[4] The younger Mayhew found himself presently employed in missionary work, and in a few years he could say: "There are now, by the grace of God, thirty-nine Indian men of this meeting, be-

The Mayhews at Martha's Vineyard. 1644.

1650. Sept. 7.

him, or any other in that Colony that I can hear of, with being instrumental to convert any of those Indians." (Historical Collections of the Indians, Chap. X. § 4, in Mass. Hist. Coll., I. 141 *et seq.* Comp. Cotton, Way of the Churches Cleared, &c., 78 – 82.)

[1] Records, &c., in Hazard, II. 18.

[2] The elder Mayhew came from Southampton, in England, and was admitted a freeman of Massachusetts May 14, 1634 (Mass. Rec., I. 369), being then forty-one or forty-two years old. His name has the prefix of *Mr.* in the record, given to very few of the large number who then took the freeman's oath. He was a Deputy from Watertown in the General Court in 1636, and for some years after. Thomas Mayhew, Jr. was thirteen or fourteen years old, when he came with his father to America.

In the distribution which the Council for New England made of its lands just before its dissolution, in 1635 (see Vol. I. 400; Hubbard, 228), the Earl of Stirling received a grant of "Pemaquid and its dependencies on the coast of Maine, together with Long Island and the adjacent islands." Mayhew bought Nantucket, Martha's Vineyard, and the Elizabeth Isles, in 1641, of James Forrett, Lord Stirling's agent. Sir Ferdinando Gorges also set up a claim to this property, which Mayhew had to quiet by a further payment. He established himself in Martha's Vineyard in 1644, his son having gone thither a year or two before. (Hough, Papers relating to the Island of Nantucket, &c., ix – xii, 1 – 6.) It must have been by virtue of his ownership of the soil that Mayhew felt authorized to submit his islands to the government of Massachusetts.

[3] Letter of Thomas Mayhew, in Glorious Progress, &c., 3 – 5; comp. Experience Mayhew, Indian Converts, &c., 1 – 12.

[4] Light Appearing, &c., 1, 3 – 6.

sides women that are looking this way, which we suppose to exceed the number of the men."[1]

There were not wanting those who shared but faintly in the enthusiasm excited by these proceedings. "Some thought that all this work was done and acted thus by the Indians to please the English, and for applause from them;" and the most favorable judges were not without fear, that "there had been some coolings among the best." But it was undeniable that "we find it so also among many people, that are English, in their first work;"[2] and gratitude and hope predominated. Intelligence of what was taking place was forwarded without delay to England, where it was received with delight. Wilson, minister of Boston, hastened to send an account to Winslow, then in London; and by the care of Ward, lately minister of Ipswich, it was at once brought before the public through the press.[3] Shepard, minister of Cambridge, sent further information; and it was thought of such importance, that twelve ministers, of the most eminent in England, and representing both sects, Presbyterians and Independents, provided for an edition of it, in which, by an address under their

Interest excited in England. 1647.

[1] Letter to Henry Whitfield, in "Light Appearing," &c., 12. — "The way that I am now in, through the grace of God, for the carrying on of this great work, is by a Lecture every fortnight, whereunto both women and children do come; and, first, I pray with them, teach them, catechize their children, sing a psalm, and all in their own language. I confer every last day of the week with Hiacoomes, about his subject-matter of preaching to the Indians the next day, when I furnish him with what spiritual food the Lord is pleased to afford me for them." (Ibid., 13.) — Eliot also particularly describes his own method: "First, I catechize the children and youth; ..... Secondly, I preach unto them out of some texts of Scripture; ..... Thirdly, if there be any occasion, we in the next place go to admonition and censure; ..... Fourthly, the last exercise, you know, we have among them, is their asking us questions." (Clear Sunshine, &c., 20, 23.) Many of these questions were thought to indicate a shrewdness and sense on the part of the inquirers, which the cooler modern reader of the record scarcely discerns in them.

[2] Clear Sunshine, &c., 31, 37.

[3] This tract (the "Day-Breaking," &c.) brings down the narrative to Dec. 9, 1646 (p. 24). Winslow, sailing "about the middle" of that month (Winthrop, II. 317), perhaps took it with him.

names to the "Lords and Commons assembled in High Court of Parliament," and another "to the godly and well affected of the kingdom of England," they commended the object of evangelizing the natives of New England to the patronage of the State and of private Christians. They said they now saw the reason why their exiled brethren had remained in America, "when providences invited their return;" it was because God had resolved, "if he cannot have an England here, he can have an England there."[1]

Winslow diligently availed himself of all the intelligence of this movement which came to his hands; and with such effect, that Parliament instructed the Commissioners for Foreign Plantations "to prepare and bring in an Ordinance for the Encouragement and Advancement of Learning and Piety in New England."[2] But matters of more pressing interest intervened, and for the present nothing was done. The more positive and circumstantial communications, which successively came over, encouraged another attempt. Winslow published a collection of them, with an address to "The Parliament of England and the Council of State,"[3] which secured their favorable attention; and an Ordinance was passed "for the Promoting and Propagating of the Gospel of Jesus Christ in New England." It constituted a Corporation in England, to consist of a President, a Treasurer, and fourteen Assistants, with authority to hold "any lands, tenements, or hereditaments, in England or Wales, not exceeding two thousand pounds *per annum*, and any goods and sums of money whatsoever." It ordained that "a general collection

1648. March 17.

Society for Propagating the Gospel. 1649. July 19.

[1] Clear Sunshine, &c., Epistle Dedicatory, and Epistle to the Reader.

[2] Four or five years before, William Castell, "Parson of Courtenhall in Northampton," had addressed Parliament on the subject, in a memorial approved by a large number of English divines. It is in Hazard, I. 527.

[3] Glorious Progress, &c., Epistle Dedicatory.

should be made in and through all the counties, cities, towns, and parishes of England and Wales, for a charitable contribution to be as the foundation of so pious and great an undertaking." And it directed "that the Commissioners of the United Colonies of New England in New England, or such as they should appoint, should have power to receive and dispose of the moneys brought in and paid to the Treasurers for the time being, or any other moneys, and goods and commodities, delivered by the care of the said Corporation at any time, in such manner as should best and principally conduce to the preaching and propagating of the Gospel amongst the natives, and the maintenance of schools and nurseries of learning for the education of the children of the natives."[1]

While Massachusetts thus sought the aid of the government and people of England in her endeavors to civilize and evangelize the Indians, she made no communication to Parliament respecting her intercourse with American subjects of the Continental States of Europe. Her foreign relations she preferred to keep strictly under her own charge, and the charge of the Confederacy which confided much to her discretion. Her French neighbors at the east had not yet ceased to be troublesome. D'Aulnay, blockading La Tour's strong-hold, at St. John, took a Boston vessel which was carrying provisions for the relief of that post, and treated her crew with severity. The Magistrates sent to him a letter of remonstrance, replying, at the same time, to one received from him, in which, in arrogant terms, he had charged them with a breach of the neutrality lately agreed upon.[2] It was probably

D'Aulnay and La Tour. 1645.

[1] The Ordinance is in Hazard, I. 635. The reader of it will not overlook, in the Fourth Article, the formal recognition of the Confederacy of the four New-England Colonies, by the actual government of England.

[2] Winthrop, II. 217, 218. — It seems from D'Aulnay's letter (for which see

while the letter from Massachusetts was on its way, that D'Aulnay took his rival's fort in an assault assisted by treachery from within, and put the garrison to the sword. La Tour was absent at the time on a third visit to Boston. His spirited wife, who had defended the fort with heroism, "died within three weeks after."[1] His great loss of property fell heavily upon the Boston merchants, to whom he was largely indebted.[2] He went to Newfoundland, in hope of assistance from the English governor, but "returned to Boston again by the vessel which carried him, and all the next winter was entertained by Mr. Samuel Maverick at Noddle's Island."[3] His last dealings with his Boston friends were matter of strong resentment. They fitted him out for a voyage to the eastward, "with trading commodities to the value of four hundred pounds." With his retinue of Frenchmen, he rose upon the English part of the crew, and set them on shore in the winter on the wild coast about Cape Sable; "whereby," says the disappointed Winthrop, who to his own cost had been his patron, "it appeared, as the Scripture saith, that there is no confidence in an unfaithful or carnal man. Though tied with many strong bonds of courtesy, &c., he turned pirate, &c."[4]

April.

1646.

Meanwhile the Federal Commissioners had taken up

Mass. Hist. Coll., XXVII. 102), that it was written ("from Port Royal, the last of March") in reply to a letter from the Governor, of which Mr. Hathorne had been the bearer.

[1] Haliburton (History of Nova Scotia, I. 58, 59) says that D'Aulnay put the garrison to the sword, in violation of articles of capitulation, and that he treated Madame La Tour with insulting cruelty. But I do not so read the earlier authorities.

[2] La Tour's mortgage deed to Major-General Gibbons is in Hazard, I. 541. Winthrop says that by Gibbons's loss on this occasion he was "quite undone." (II. 237, 238.) It amounted to "more than 2,500 pounds."

[3] Winthrop, II. 247, 248; comp. Mass Hist. Coll., XXVII. 105–108.

[4] Winthrop, II. 266. His sun, however, had not gone down. (*Bella gerant alii; tu, felix Austria, nube.*) D'Aulnay, while out fishing, in a boat, was frozen to death, May 24, 1650. La Tour, wherever he had been roving meanwhile, presently reappeared, and, marrying his widow, was reinstated in position and property. Garneau says (I. 151) that La Tour, during part of this interval, had been hunting for furs on Hudson's Bay.

the dispute between Massachusetts and D'Aulnay. At Boston, at their third meeting, they ratified the treaty which had been provisionally made between these parties;[1] and, for greater security, a special messenger was despatched to obtain a renewal of the Frenchman's subscription.[2] This he refused until the new controversy that had arisen should be composed. The General Court of Massachusetts (the Commissioners being no longer in session) then determined to send the Deputy-Governor, with Mr. William Hathorne and Mr. Daniel Dennison, to treat with him at Penobscot. D'Aulnay was too courteous to receive such an embassy without an expensive hospitality; and, being ill able to put himself to such a charge, he proposed on his part that the negotiation should take place at Boston.[3] Thither accordingly Marie, the former envoy, came, with two associates. The business occupied a week. The old complaints and explanations were mutually revived and discussed. At length, an agreement was reached for "all injuries and demands to be remitted, and so a final peace to be concluded," on the condition of "a small present to M. D'Aulnay in satisfaction" of an act of violence committed by a Boston shipmaster, which the Magistrates did not undertake to justify.[4]

1645. Sept. 2.

1646. May.

Sept. 20.

[1] Records of the United Colonies, in Hazard, II. 53, 54; comp. above, p. 149.

[2] Mass. Rec., III. 44. The messenger was Mr. Bridges. (Winthrop, II. 259.) A translation of the Latin reply which he brought back from D'Aulnay is in Mass. Hist. Coll., XXVII. 109.

[3] Winthrop, II. 259, 260, 266, 267.

[4] Ibid., 273–275; comp. 135. The French visitors were entertained with ceremony. They were escorted daily to and from the place of conference. They were lodged and dieted at the public charge, "and the Governor accompanied them always at meals." They passed one Sunday in Boston, and were informed "that all men either came to the public meetings, or kept themselves quiet in their houses." "They continued private all that day until sunset," at the Governor's house, "and made use of such books, Latin and French, as he had, and the liberty of a private walk in his garden, and so gave no offence. The two first days after their arrival, their pinnace kept up her flag in the main-top;" after which time, on a courteous intimation from the Governor, it was struck.

These transactions are of little interest except as showing with what freedom the Confederacy — or, as the case might be, Massachusetts, acting for it — took the position of an independent power.[1] On her western border, New England had foreign relations of a more practical description to oversee and adjust. The Dutch at New Netherland were, from time to time, asserting a claim which the English colonists considered themselves to be under obligations alike of honor and of interest to fend off, at least as long as their friends in England were too busy to give it their attention.

Disputes with the Dutch of New Netherland.

The New-Haven people having set up a trading-house some ten miles northwestwardly from their town,[2] the Dutch Governor wrote to the Governors of Massachusetts and New Haven to remonstrate against what he represented as an encroachment on his domain.[3] The business came before the Federal Commissioners, who sent a messenger to New Amsterdam, to declare their approbation of the proceeding of their friends at New Haven, and to make a counter complaint of misbehavior on the part of the Dutch at Hartford.[4] Kieft, the Governor of the Dutch, was soon after displaced;[5] and his successor, Peter Stuyvesant, being arrived at the Manhattoes, sent his secretary to Boston, bearing a letter to the Governor, "with tender of all courtesy and good correspondency." Some of the Commissioners would have met his overture with cordiality; but, as in the letter he "laid claim to all between Connecticut and Delaware," the

1646. Aug. 3.

Sept. 7.

1647.

[1] Chalmers saw plainly this bearing of the subject. (Annals, &c., 178, 181, 182; Revolt, &c., 88.)

[2] It was at Paugusset (now Derby) on the Naugatuck, at, or near, the junction of that river with the Housatonic. (N. Y. Hist. Coll., II. 273.)

[3] Winthrop, II. 268.

[4] Records, &c., in Hazard, II. 54–58; comp. 68–72.

[5] Winthrop thought it a providential visitation, that Kieft, on his homeward voyage, was wrecked and drowned. (II. 386.)

Commissioners from the western Colonies "thought otherwise, supposing it would be more to their advantage to stand upon terms of distance. And answer was returned accordingly, only taking notice of his offer, and showing our readiness to give him a meeting in time and place convenient."[1] It complained at the same time of the sale of arms and ammunition by the Dutch to the Indians, and of the extortion by them of high duties from English traders. Aug. 17.

A serious occasion of resentment occurred when Stuyvesant, by a stratagem, captured a Dutch vessel in New-Haven harbor for an alleged evasion of certain payments due to his government.[2] The Commissioners were not sure that the charge was not well founded. But it in no sort justified the outrage on friendly territory; and the Dutch Governor had even gone so far as to intimate a claim to "the place, and so all along the sea-coast to Cape Cod,"[3] and had directed his letter to "New Haven in the Netherlands." Three servants of his, who had come to New Haven, were there imprisoned. He wrote to demand their restitution, which was refused.[4] September.

While new in his place, Stuyvesant had misunderstood the proprieties and the capacities of his situation. A better acquaintance with it tended to lower his tone; and he now wrote to the Governor of Massachusetts, proposing to submit to him and the Governor of Plymouth the matters in dispute between New Haven and New Netherland, "with some kind of retractation of his former claim." The General Court was consulted, who "thought the matter more weighty and general to the concernment of all the country, than that anything 1648. March.

[1] Winthrop, II. 314. For the letter, see Records, &c., in Hazard, II. 97.

[2] N. H. Rec., I. 508, 511, 515; O'Callaghan, New Netherland, II. 48.

[3] Records, &c., in Hazard, II. 132.

[4] See N. H. Rec., I. 511–530, for a collection of letters which passed, at this time, between New Haven and the Dutch Governor; comp. 361, 413.

should then be determined about it, and more fit for the Commissioners first to consider of." Stuyvesant was getting more and more uneasy as to the issue of the quarrel he had provoked, "both in regard of the weakness the State of Holland, especially the West-India Company, were fallen into, ... and also in respect of the doubts which he was fallen into at this time, both from his own unruly people, and also of their neighbor Indians;" and he was importunate for a reconciliation.[1] At their next meeting, the Commissioners addressed to him a joint letter, inquiring what it was that he proposed to refer, and what credentials he could produce from his principals, and reiterating their complaints of the dangerous practices of the Dutch with the Indians, and of the exorbitant duties levied by him upon commerce.[2] They informed him that, until some accommodation should be made, Dutch traders would be subjected to the same liabilities in the harbors of New England, as were imposed upon Englishmen in New Netherland; that they should seize all arms and ammunition, suitable for trading with the Indians, which they might find in Dutch vessels within the English jurisdiction; and that they should strictly retaliate any injustice done "to any merchant or mariner, either English, Dutch, or other nation, admitted to be planters within any of the United Colonies," and should "vindicate the English rights by all suitable and just means." There was no reason to doubt that they would be as good as their word, and that, in their assumed plenitude of authority, they would act with promptness. But such a course would not do for Stuyvesant. He could not take the responsibility of involving his superiors in the consequences which might ensue. He wrote home, asking instructions, and urging that a settlement of the dispute should be made in Europe And here it rested for the present.

Sept. 16.

Dec. 23.

[1] Winthrop, II. 316, 324, 325, 329. [2] Records, &c., in Hazard, II. 102–105.

CHAPTER V.

When Winslow went to England as agent for Massachusetts, to counteract the plots of Gorton and Child and their respective associates, eleven years had passed since the last of his three previous voyages to that country.[1] He might now promise himself a more agreeable position there than he had occupied on the earlier occasions. Formerly he had had in charge an humble suit to a domineering Privy Council, and a vexatious negotiation with some London merchants about the investment of a few thousand pounds. The cause of a community beginning to be confident in its power was now to be pleaded by him in the hearing of rulers of England, whom he could trust for that devotion to freedom, civil and religious, which, while it had nerved some of its votaries for their triumph at home, had still earlier conducted others to a distant exile. He arrived in England in the month in which the King was surrendered by the Scottish army to the English Parliament, and two months before the question about disbanding the troops provoked the open quarrel between the Independents and the Presbyterians.

Edward Winslow in England. 1647. January.

His proceedings in relation to the dispute of the authorities of Massachusetts with the Presbyterians in that Colony were related in the last chapter. The intrigues of Gorton, Greene, and Holden had demanded the agent's still earlier attention. As Child and his party relied upon the Presbyterians for support, so in the Levellers and Ranters, whom the strong hand of Cromwell, after help-

[1] See Vol. I. pp. 215, 341, 542.

ing them to rise, was now hardly keeping in check, the emissaries from Shawomet found sympathizers who had such numbers, activity, and means of influence, that other parties were not disposed to offend them without necessity. "I preached," says Gorton, "the word of God publicly, in divers as eminent places as any were then in London, as also about London, and places more remote; . . . . . publicly and immediately after the word delivered, the people giving thanks to God, that ever such a word came to be uttered among them."[1]

Samuel Gorton in England.

Gorton and his colleagues in the embassy had gone to England more than a year before Winslow. They took with them the Act of Submission of the Narragansetts,[2] and they presented to the Commissioners for Foreign Plantations[3] a memorial complaining of the treatment which had been experienced by their company. "The petitioners, being favored by some of the Commissioners, partly for private respects and partly for their adhering to some of their corrupt tenets," obtained an Order to the government of Massachusetts, "to permit and suffer the petitioners, and all the late inhabitants of Narragansett Bay, with their families and all such as should hereafter join with them, freely and quietly to live and plant upon Shawomet," and such adjacent lands as they had previously occupied, till such time as the adverse claim of Massachusetts could be presented and considered.[4] The Order also required that Gorton and his companions should be allowed to pass peaceably through Massachusetts to their homes. Holden arrived with it in Boston three months before Winslow's departure. The Governor refused him permission to land, till the advice of the Council could be obtained. The Council debated the question, and concluded

1646. May 15.

Sept. 13.

[1] Gorton, Letter to Nathaniel Morton, in Force, Tracts, IV. (vii.) 14. An incomplete copy of the paper is in Hutchinson, I. 469.

[2] See above, p. 137.

[3] See Vol. I. 633, 634.

[4] R. I. Rec., I. 368; Winthrop, II. 280, 281.

to consult the neighboring Elders. The Elders were also divided in opinion; but "the greater part, both of Magistrates and Elders, thought it better to give so much respect to the protection which the Parliament had given him (and whereupon he adventured his life), as to suffer him to pass quietly away."[1]

When the General Court came to consider the course fit to be taken respecting the mandate from England, "one question," they said, "was, whether we should give the Commissioners their title, lest thereby we should acknowledge all that power they claimed in our jurisdiction." This question was decided in favor of courtesy. A far more important one lay behind, relating to the invitation given to Massachusetts, in the recent Order of the Commissioners, to make an answer to the charges of Gorton and his confederates. As to this, the conclusion, as Winthrop records it, was, "that, in point of government, we have granted by patent such full and ample power of choosing all officers that shall command and rule over us, of making all laws and rules of our obedience, and of a full and final determination of all cases in the administration of justice, that no appeals or other ways of interrupting our proceedings do lie against us. Concerning our way of answering complaints against us in England, we conceive that it doth not well suit with us, nor are we directly called upon, to profess and plead our right and power, further than in a way of justification of our proceedings questioned, from the words of the patent. . . . . If the Parliament should be less inclinable to us, we must wait upon Providence for the preservation of our just liberties."[2]

This theory of colonial relation was implied in the "commission and instructions" which Winslow had carried over, and in a "remonstrance and a petition to the Com-

[1] Winthrop, II. 273.

[2] Ibid., 282, 283.

missioners in England." Among the points which he was directed to maintain, as occasion should arise, were these: that the freemen of Massachusetts had a right to omit the King's name from legal processes, both "for avoiding appeals," and because the Company "claimed not as by commission, but by a free donation of absolute government;" that they showed their "subjection to England" by "framing their government according to their patent" received from her; that their exercise of admiralty jurisdiction was an incident of their chartered "power to defend themselves and offend others, as well by sea as by land;" that the charter "gave the liberty of votes in elections expressly to the freemen only;" and that the "absolute power of government," vested in them by the charter, secured them against the imposition of a General Governor.[1]

Representations of Massachusetts to Parliament.

In their Remonstrance to the Commissioners, the Magistrates of Massachusetts, in the first place, expressed their apprehension, that an answer on their part to Gorton's complaint might "be prejudicial to the liberties granted by their charter, and to their well-being in this remote part of the world;" and they protested against its being drawn into precedent, lest, "when times should be changed, for all things below are subject to vanity, and other princes or Parliaments should arise, the generations succeeding should have cause to lament, and say, 'England sent our fathers forth with happy liberties, which they enjoyed many years, notwithstanding all the enmity and opposition of the prelacy and other potent adversaries; how came we to lose them, under the favor and protection of that State, at such a season when England itself recovered its own?'" They desired the Commissioners to attend to the evidence which Winslow would produce, to show that, in dealing with Gorton's company,

[1] Winthrop, II. 299 – 301.

they had proceeded according to justice, and within the limit of the powers conferred on them by the charter. They urged the injurious results which would follow, in respect to the attempts making to convert the natives, if the Shawomet disturbers should be "countenanced and upheld." They set forth that the allowance of appeals to England would be "destructive to all government, both in the honor and also in the power of it." And they cautioned the Commissioners against assuming a responsibility to which they would find themselves unequal. "Considering the vast distance between England and these parts, ... your counsels and judgments could neither be so well grounded, nor so seasonably applied, as might either be so useful for us or so safe for yourselves, in your discharge in the great day of account, for any miscarriage which might befall us while we depended upon your counsel and help, which could not seasonably be administered to us. Whereas, if any such should befall us when we have the government in our own hands, the State of England shall not answer for it."[1]

When Winslow arrived in England, he found that Gorton had lately made an appeal to the public through the press.[2] He prepared a reply with such promptness, that

[1] Winthrop, II. 295 – 298; R. I. Hist. Coll., II. 198 – 202.

[2] Gorton's book was probably published in the last quarter of 1646, as the *imprimatur* is dated August 3d in that year. Its full title is "Simplicitie's Defence against Seven-Headed Policy. Or, Innocency Vindicated, being unjustly accused and sorely censured by that Seven-Headed Church Government united in New England. Or, that Servant so Imperious in his Master's Absence, revived, and now thus reacting in New England. Or, the Combate of the United Colonies, not only against some of the Natives and Subjects, but against the Authority also of the Kingdome of England, with their Execution of Laws, in the Name and Authority of the Servant (or of themselves), and not in the Name and Authority of the Lord, or Fountain of the Government. Wherein is declared an Act of a Great People and Country of the Indians in those Parts, both Princes and People (unanimously) in their voluntary Submission and Subjection unto the Protection and Government of Old England (from the Fame they hear thereof), together with the true Manner and Forme of it, as it appears under their own Hands and Seals; being stirred up and provoked thereto by the Combate and Courses

it appeared in a few weeks.[1] In a Dedication to the Commissioners he made five requests; — 1. that they would "strengthen the censure of the Massachusetts by their favorable approbation," so that "the country might be the more preserved from their fears of the Gortonians' desperate close with so

Success of Winslow's agency.

above said. Throughout which Treatise is secretly intermingled that great Opposition, which is in the Goings forth of those two grand Spirits, that are, and ever have been, extant in the World (through the Sons of Men), from the Beginning and Foundation thereof." In this language the reader will readily discern two points of Gorton's policy. He piqued the pride of Englishmen by representing the United Colonies as resisting "the authority of the kingdom of England;" and he played upon the passions of his Levelling friends by complaining that the colonial rulers were acting "not in the name and authority of the Lord," and that they were embodying "that great opposition, which is in the goings forth," &c. A second edition appeared in the following year, when the party of resistance to ecclesiastical coercion had grown stronger; and the title-page, with an improved adaptation to the time, represents the work to be "A true Complaint of a Peaceable People, being Part of the English in New England, made unto the State of Old England, against cruell Persecutors, united in Church Government in those Parts. Wherein is made manifest the manifold Outrages, Cruelties, Oppressions, and Taxations, by cruell and close Imprisonments, Fire and Sword, Deprivation of Goods, Lands, and Livelyhood; and such like barbarous Inhumanities, exercised upon the People of Providence Plantations in the Nanhyganset Bay, by those of the Massachusetts, with the Rest of the United Colonies, stretching themselves beyond the Bounds of all their own Jurisdictions, perpetrated and acted in such an unreasonable and barbarous Manner, as many thereby have lost their Lives. As it hath been faithfully declared to the Honorable Committee of Lords and Commons for Forrain Plantations; whereupon they gave present Order for Redress. The sight and Consideration whereof hath moved a great Country of the Indians and Natives in those Parts, Princes and People, to submit unto the Crown of England, and earnestly to sue to the State thereof, for Safeguard and Shelter from like Cruelties."

In this book, on the one hand, the taste of the Ranting mystics is largely consulted (e. g. pp. 95 – 111); on the other, skilful appeals are made to the national pride, by representations that the authority of Parliament and its Commissioners was defied by the Massachusetts people, and respected by their victims (pp. 89 – 91, 94). Of the estimation in which the book and its writer were held by the English Presbyterians, we get a glimpse from Samuel Rutherfurd's "Survey of the Spiritual Anti-Christ" (183). "It's a piece [Simplicitie's Defence] stuffed with wicked principles and gross and blasphemous deductions of familism, smelling rankly of the abominable doctrine of Swenckefield, Muncer, Becold, David Georgius, and of H. Nicholas, the first elder of the Family of Love, of the piece called *Theologia Germanica*, and the *Bright Starre*." There is much more to the same purpose.

[1] This was the treatise so often

dangerous enemies as their malignant neighbors, the Narigansetts;" 2. that they would "never suffer Samuel Gorton, the pestilent disturber, ... any more to go to New England to disquiet the peace thereof;" 3. that they would "suffer New Plymouth to enjoy their former liberty in the line of their government, which includeth

quoted in these pages under the title of "Hypocrisie Unmasked," &c. The date in the imprint of the edition is 1646. But Winslow sailed for England in the middle of December, 1646, at which time, according to the reckoning of the Old Style, there remained a little more than three months of that year. Again he says (Hypocrisie Unmasked, 77) that the time since his "departure from New England" had been "not much above two months" (comp. Pref., iv.); from which the inference is, that he published in the early part of March, 1647 (N. S.); a fact useful to be settled, as it shows that there was time for the book to exert an influence on that decision of the Commissioners which was announced in May.

The attentive reader constantly discerns in Winslow's book the influence of that state of affairs and of sentiment, which on his arrival he found existing in England. The Presbyterians and Independents were not unequally matched. He desired the goodwill of both. "How easy would the differences be reconciled between the Presbyterian and Independent way. . . . . As they have fought together for the liberties of the kingdom, ecclesiastical and civil, so may they join together in the preservation of them." (Hypocrisie Unmasked, &c., 94.) He aims to avert the hostility of the Presbyterians by informing them that they whose cause he pleaded had not rejected the communion of Dutch, French, Scotch, or English of that inclining, and that they gave no disturbance to Presbyterians in New England. (Ibid., 95, 96, 98–100; comp. Vol. I. 489, note 2.) The English Anabaptists were a party too considerable to be slighted. Accordingly, he shows, in the case of Chauncy of Plymouth and others, how unmolested they might live in New England, if they gave no other offence than by their sectarian opinions and practice; and he avers, that, though "the churches of New England were confident through God's mercy that the way in which they walked . . . . . concurred with those rules our blessed Saviour hath left upon record by the Evangelists and Apostles, ... yet nevertheless, if any, through tenderness of conscience, were otherwise minded, to such they never turned a deaf ear, nor became rigorous." (Hypocrisie Unmasked, &c., 101, 102.)

The book sometimes quoted under the title, "The Danger of tolerating Levellers in a Civil State," is the same as Hypocrisie Unmasked, except that instead of the Dedication, in the latter, to the Earl of Warwick and his fellow-Commissioners, the former has a full table of contents. As to the body of the respective works, they are not different editions, but both were struck off from the same types. This fact shows them to have been published about the same time; and, if so, they were intended to reach different hands. In respect to the "Danger of tolerating *Levellers*," Winslow well knew that he might look to a large class of his English friends for an active sympathy against Gorton.

their very seat, even Shawomet itself;"[1] 4. that they would refuse to receive appeals from New England; 5. that they would "patronize" him in the "just defence" which he was making, and thus place his constituents under an obligation to "engage with and for" the Parlia-

[1] Gorton had "taxed Plymouth to join with the Massachusetts to frustrate their government by virtue of their new charter." (Hypocrisie Unmasked, &c., 82.) The reference is to the Charter of Providence Plantations. (See below, p. 215.)

"The line of their [Plymouth's] government," argued Winslow, agreeably to his instructions, "includeth their [the Warwick Company's] very seat, even Shawomet itself." Of course this refers to the boundary to which Plymouth was entitled by the patent granted to Bradford by the Council for New England in 1630. (See Vol. I. 332.) At the time of that grant, the geography of the region was little known. The territory conveyed to Bradford was described in it as lying between the ocean on the east; "a certain rivulet or runlet, there commonly called Coahasset *alias* Conahassett, towards the north; ..... the river, commonly called Narragansetts River, towards the south; and between and within a straight line directly extending up into the mainland towards the west from the mouth of the said river called Narragansetts River, to the utmost limits and bounds of a country or place in New England called Pokanoket *alias* Sowamsett westward, and another like straight line extending itself directly from the mouth of the said river called Coahasset *alias* Conahassett towards the west, so far up into the mainland westwards, as the utmost limits of the said place or country commonly called Pokanoket *alias* Sowamsett do extend, together with one half of the said river called Narragansett, and the said rivulet or runlet, called Coahassett *alias* Conahassett," &c. (Brigham, Charter, &c., 22, 23.)

This definition of a western boundary for Plymouth Colony does not correspond to the natural features of the country. In the impracticability of putting a strict verbal construction upon it, the Plymouth people, it appears, adopted some interpretation which brought Shawomet within their bounds, — an interpretation also approved by their allies in the Confederacy.

In urging, at this time, upon the Parliamentary Commissioners for the Colonies, that Shawomet belonged by patent to Plymouth, Winslow may seem to have condemned a former judgment of his. In 1670, Roger Williams wrote to Major Mason (see Vol. I. 422), that, when he was looking out for a place of refuge, Winslow told him that, if he would but cross the river to Seekonk, he would be "free," and beyond "the edge of their bounds." Williams was an entirely honest man, and his statements are entitled to all that confidence which should respond to an intention to speak the truth. But he was also an impulsive and an imaginative man; nor is it safe to trust the memory of any witness, sixty-four years old, for the particulars of a conversation which took place when he was thirty. Supposing Winslow to have precisely expressed the opinion ascribed to him by Williams, it does not show that the same was the opinion of Winslow's Colony, or of other eminent persons in the Colony, equally entitled to be consulted; nor would his or their ex-

ment and the Commissioners "against all opposers of the State, to the last drop of blood in their veins."[1]

The representations of Winslow exhibited the case to the Commissioners in a new light; and they hastened to relieve the anxiety of the colonists as to the most important question. To the claim of the Massachusetts Company to exemption from appeals, they replied: "We intended not to encourage any appeals from your justice, nor to restrain the bounds of your jurisdiction to a narrower compass than is held forth by your letters patent, but to leave you with all that freedom and latitude that may in any respect be duly claimed by you, knowing that the limiting of you in that kind may be very prejudicial, if not destructive, to the government and public peace of the Colony;" and they professed the like liberal intentions in respect "to all the other governments and plantations in New England."[2] On a hearing of Winslow, and of Gorton with his friends, at Westminster, "it pleased the Lord to bring about the hearts of the Committees, so as they discerned of Gorton, &c. what they were, and of the justice of the proceedings against them." Their application for an authoritative interference in their behalf obtained no more than an intercession that they might be treated with indulgence. The Commissioners wrote: "We commend it to the government, within whose jurisdiction they shall appear to be, (as our only desire at present in this matter,) not only not to remove them from their plantations, but also to encourage them, with protection and assistance, in all fit ways, provided that they demean

1647. May 25.

July 22.

pression of it, unauthorized by a public act, preclude their changing it afterwards, on what they should consider better information respecting the intent of the patent and the rights of their community; nor would it impose an obligation upon any one.

[1] Hypocrisie Unmasked, &c., Pref., v.

[2] Possibly this supererogatory assurance was suggested by Fenwick, who was now one of the Parliamentary Commissioners for the Colonies (Winthrop, II. 320), and who must have always had Connecticut in his mind.

themselves peaceably, and do not endanger any of the English colonies by a prejudicial correspondence with the Indians, or otherwise; wherein if they shall be faulty, we leave them to be proceeded with according to justice."[1]

Return of Gorton to America. 1648. May.

Despairing of success with the Commissioners, Gorton set his face homeward. He arrived at Boston, where, when about to be apprehended, he produced a letter from the Earl of Warwick, "desiring only that he might have liberty to pass home." Upon this, "the Court recalled their former order, and gave him a week's liberty to provide for his departure. This was much opposed by some; but the most considered that, it being only at the Earl's request (no command), it could be no prejudice to our liberty; and, our Commissioner being still attending the Parliament, it might much have disadvantaged our cause and his expedition, if the Earl had heard that we should have denied him so small a request. Yet it was carried only by a casting voice." No inconvenience followed for the present. Gorton had come home a sadder and more peaceable, if not a wiser, man. Several of his old friends had re-assembled at Shawomet, which place, since that time, has borne the name of *Warwick*, given it in commemoration, or in hope, of favor from the noble head of the Parliamentary Commission. They had no sooner learned from their emissary the position of their affairs, than they "sent two of their company to petition the General Court," then in session at Boston, and "make their peace." Hearing, when they reached Dedham, that the Court had adjourned, the messengers wrote to Winthrop, in terms not so much deferential as abject, asking leave to wait upon him with the "humble request" which they had in charge. What answer the Governor made does not appear.[2] While the people at Warwick should

[1] Winthrop, II. 318–320; R. I. Hist. Coll., II. 204. Comp. Hazard, II. 135.

[2] Winthrop, II. 322, 323.

refrain from offence, as they had lately done, and as there was now an increased probability that they would continue to do, Massachusetts had no desire to disturb them.

Several months before Gorton left America, Roger Williams had returned, after an absence of a year and a half.[1] He had been favorably introduced by Sir Henry Vane, and had obtained from the Parliamentary Commissioners a patent, which associated "the towns of Providence, Portsmouth, and Newport" in one community, "by the name of the Incorporation of Providence Plantations, in the Narragansett Bay, in New England." It prescribed no criterion of citizenship, and no form of organization. It simply invested the "inhabitants" of the towns with "full power and authority to rule themselves, and such others as should hereafter inhabit within any part of the said tract of land, by such a form of civil government as, by voluntary consent of all or the greater part of them, they should find most suitable to their estate and condition; and for that end, to make and ordain such civil laws and constitutions, and to inflict such punishments upon transgressors, and, for execution thereof, so to place and displace officers of justice, as they, or the greatest part of them, should by free consent agree unto; provided, nevertheless, that the said laws, constitutions, and punishments for the civil government of the said plantations, should be conformable to the laws of England, so far as the nature of the case would admit."[2]

Patent of the Providence Plantations. 1644. March 14.

With this instrument Roger Williams arrived in Boston, fortified by a letter to the Magistrates, in which

[1] Winthrop, II. 193; see Vol. I. 609.

[2] The instrument is in Hazard, I. 538, and in R. I. Rec., I. 143.—The "said tract of land" is described as "bordering northward and northeast on the patent of the Massachusetts, east and southeast on Plymouth patent, south on the ocean, and on the west and northwest by the Indians called Nahigganneucks, *alias* Narragansetts; the whole tract extending about twenty-five miles into the Pequot river and country."

"divers Lords and others of the Parliament"[1] "professed their great desires" that he might have friendly treatment. Hastening towards his home, he was met at Seekonk by his friends, who in fourteen canoes had come out from Providence to offer their welcome, and conduct him on his way. To a sanguine temper, such as his, it may be supposed that the moment was one of exultation as well as of hope. "Being hemmed in, in the middle of the canoes, he was elevated and transported out of himself."[2]

Return of Williams to America. September.

But the exultation was premature, and the hope was destined to be long in suspense. It might seem that the terms of the patent of the "Providence Plantations" were easy enough to content minds not hard to be pleased; but the eccentric persons who had come into each other's neighborhood about Narragansett Bay were not prepared as yet to work together in any government. That pressure of encroachments from the adjacent Colonies, of which they complained, might alone have been supposed capable of uniting them for mutual security. Plymouth sent one of her Assistants to Rhode Island, "to signify to all that were interested in that newly erected government," that a great part of the territory claimed by them was within the patent limits of Plymouth, and would undoubtedly, on better information be acknowledged to be so by Parliament, and to warn them against exercising any act of government within

Nov. 8.

[1] The letter is in Winthrop, II. 193. It does not purport to be from the Commissioners who signed the patent; and the names of only three of them (Holland, Wharton, and Corbet) are subscribed to it. Were the Commissioners cautious about compromising their dignity by demanding of Massachusetts what she was not unlikely to deny?

[2] Richard Scott's letter, in the Appendix to Fox and Burnyeat's "New-England Fire-Brand Quenched." — Scott, as a Quaker, had become angry with Williams before he wrote (which was in 1677); and, with an anachronism of his emotions, he supposes himself to have been angry at the time when he assisted with his canoe in the aquatic procession. "I was condemned in myself, that, amongst the rest, I had been an instrument to set him up in his pride and folly."

that domain.[1] The Secretary of Massachusetts informed Williams of the recent reception of "a charter from the authority of the High Court of Parliament," dated three months earlier than the patent of the "Providence Plantations," and giving to Massachusetts "the Narragansett Bay, and a certain tract of land wherein Providence and the island of Quidy [Aquetnet] were included."[2] But a common danger did not yet avail to combine the Narragansett settlers for common action. With resolute perverseness they still stood apart, each settlement from

[1] Winthrop, II. 220; comp. 251, 252. — Winslow says (Hypocrisie Unmasked, &c., 83) that this messenger, Browne, (a Magistrate of Plymouth,) reported, on his return from Rhode Island, that he found the people collected in a "public meeting for a most vile end; namely, to take into consideration a new disposal of the lands formerly given out, as if some had too much, and some too little, and for no respect of persons, and their estates was to be laid aside." No wonder that the rich "Mr. Coddington, Mr. Brenton, &c. ..... abhorred their course, abstained from their meetings, looked upon themselves as persons in great danger, and bemoaned their condition to divers their friends, being now overwhelmed with cares and fears what would be the issue of things." (Ibid.) The statement cannot be compared with the Newport Records, which present a large *lacuna* after March of this year. Gorton says that Browne "went from house to house, both in Portsmouth and Newport, discouraging the people for yielding any obedience to the authority of the charter." (Simplicitie's Defence, 91.) Without doubt, Browne's business at Rhode Island was to "discourage" the people there from all such use of the charter as would wrong Plymouth.

[2] Mass. Rec., III. 49; R. I. Rec., I. 133; comp. Winthrop, II. 220. — Respecting this patent, dated in the sixth week after the Parliamentary Commission was instituted, (see above, p. 122, note 2,) there are some things obscure. It was probably obtained by Welde (R. I. Rec., II. 162); and, I presume, without authority from Massachusetts. Williams's patent conflicts with it; and we are left without information as to the cause which could have led to such an inconsistency on the part of the Commissioners. The forbearance of Massachusetts to found any practical claim upon it is remarkable. I conceive the reason to have been the caution of her Magistrates about involving themselves in an admission of the lawfulness of the authority intrusted to the Parliamentary Commissioners, which admission might presently be turned back upon herself. The patent also contained a provision which would have prejudiced them against it, even if it had come from Parliament itself. In the following year, there was a movement to "petition the Parliament for enlargement of power, &c." But, among other objections by which it was defeated, one was, "If we take a charter from the Parliament, we can expect no other than such as they have granted to us at Narragansett, and to others in other places, wherein they reserve a supreme power in all things." (Winthrop, II. 280.)

the other settlements, and parties within each settlement from other parties.

His removal into the Narragansett country.

Whether it was to escape the annoyances of a turbulent neighborhood, or merely with a view to push his fortune, Williams, soon after his return from abroad, withdrew from what was for him the natural scene of action, to a residence in the heart of the Narragansett country, where he established a traffic with the Indians.[1] It seems, however, that his political relation to his former associates did not cease; for, when preparation had at length been made for an attempt to put in operation a government under the patent, we find him Moderator of a meeting held at

1647. May 16. Providence for that purpose. With nine other persons, among whom were Gorton's friends, John

[1] In his letters thence, Williams calls the place *Cawcawmsqussick*. It was in what is now the town of North Kingston. He there became the neighbor, and perhaps a sort of partner, of one Richard Smith, who was probably there three or four years before him. In a paper signed by Roger Williams, in 1679, which I saw in the State Paper Office in London, he says: "Richard Smith, senior, deceased, for his conscience towards God, left a fair possession in Gloucestershire, and adventured with his relations and estate to New England, and was a most acceptable and prime leading man in Taunton, in Plymouth county. For his conscience' sake (many difficulties arising) he left Taunton, and came to the Nahigansic country, where by the mercy of God, and the favor of the Nahigansic Sachems, he broke the ice at his great charges and hazards, and put up, in the thickest of the barbarians, the first house among them. I humbly testify, that about forty years from this date, he kept possession, coming and going, himself, children, and servants, and he had quiet possession of his housing, land, and meadow, and then, in his own house, with much serenity of soul and comfort, he yielded up his spirit to God, the father of spirits, in peace." Among the Colonial Papers there is also a petition of Smith's son (Richard Smith, Jr.) and others, in which they say (July 29, 1679) that he went to the Narragansett country about "forty-two years" before that time. (Comp. R. I. Hist. Coll., III. 31–33; Callender, Hist. Disc., 92.)

An interesting series of letters from Williams to Winthrop the younger, dated in the Narragansett country, and extending from June, 1645, to October, 1651, the month before he sailed a second time for England, is published in Vols. XXIX. and XXX. of the "Collections of the Massachusetts Historical Society," and by Mr. Knowles in his "Memoir of Williams" (207–248). He occasionally visited Providence within this time. (Ibid., 224.) His trading-house at Narragansett yielded him "one hundred pounds' profit per annum" (Ibid., 247, note), — a liberal income for those days.

Greene and Richard Waterman, he was elected to represent the inhabitants of that town at a Convention of Deputies from the Narragansett settlements, appointed to be held on the second following day. They were invested with authority "to act and vote," in behalf of their constituents, "for the settling of the General Court for the present, and for the composing of it into any figure for the future, as cause should require;" and further, "to act and vote for them, as aforesaid, in the choice of all general officers, as need should require." Votes were passed at the same time, expressing the desire of the inhabitants to have their municipal government remain intact, and "to have an exact and orderly way open for appeals unto General Courts."[1]

Institution of a government under the patent of Providence Plantations. May 19–21.

The defective state of the records leaves us in ignorance concerning preliminary proceedings in the other settlements in this quarter. Deputies, representing all of them, came together, and remained in session three days. Their business must have been diligently prepared; for, in addition to a constitution of government, they established a minute code of laws. "It was agreed that Warwick should have the same privileges as Providence,"[2] and "that the general officers for the whole Colony should be these; namely, one President, four Assistants (in every town one), one General Recorder, one Public Treasurer, and a General Sergeant, which officers should be chosen every year in the General Assembly, and towards the latter end of that session."[3] For the first year, John Coggeshall was elected President; William Dyer, Re-

[1] R. I. Rec., I. 43.

[2] Ibid., 148. — So recklessly did these impulsive people transact their affairs. The patent under which they were proposing to erect a government was given to "the inhabitants of the towns of Providence, Portsmouth, and Newport." Warwick was not mentioned; nor, by any violence of construction, could it be included within one or another of those which were; nor, had it been so included, could it have had its separate "privileges."

[3] Ibid., 191, 192.

corder; and Jeremy Clarke, Treasurer. These all belonged to Newport. The first Assistants were Roger Williams, for Providence; John Sanford, for Portsmouth; William Coddington, for Newport; and Randall Holden, for Warwick.[1] The inferior position assigned to Williams and to Coddington may be a symptom of the jealousy between, or the party spirit within, the towns of which they were respectively the founders.

The scheme proved a failure. The people were not yet ready for a government. The machinery had taken some three years to construct and set a-going, after its construction had been authorized by the patent. In three years more it ran down. Three only of the proposed annual Assemblies were held. At the first, the Frame of Government was so far amended as to constitute a lawful General Court on a basis of representation, instead of an assemblage of the whole people. "Six men of each town," so the Order provides, "shall be chosen, in whom the General Court shall continue; and each town here shall have the choice of their men, if they please; or, if any town refuse, the Court shall choose them for them; if any else beside will tarry, they may, whose help is desired."[2]

Its failure and dissolution.

1648. May 16.

1649. May 22. At the second annual Assembly, some cases of fraudulent voting having become known, precautions were adopted against a repetition of the abuse; and it was ordered that persons refusing to take public office should be subject to fines.[3] Tokens of the indifference of the people to their government, and of the early derangement into which it had fallen, appear in measures which the third annual Assembly found

1650. May 23.

[1] R. I. Rec., I. 148.

[2] Ibid., 209. — September 23d of this year, Williams wrote to the younger Winthrop: "Our neighbor, Mr. Coddington, and Captain Partridge, ten days since returned from Plymouth with propositions for Rhode Island to subject to Plymouth, to which himself and Portsmouth incline. Our other three towns decline." (Mass. Hist. Coll., XXIX. 271.)

[3] R. I. Rec., I. 217, 218.

itself obliged to take for filling the places of absent Representatives, and vacating the places of Representatives unfit for their trust. Two special meetings of that body were also held. At the former, a municipal incorporation was granted to the town of Providence, and probably also to the other towns. At the latter, which was the expiring spasm of the sickly body politic, there was some miscellaneous revision of the laws, and it was "ordered, that a letter be sent to Mr. Williams to capitulate about his going to England; and it is ordered also that the State is willing to pay the hundred pound that is due to him, and a hundred pound more; and, if he refuse, Mr. Balston [of Portsmouth], Mr. John Clarke [of Newport], and Mr. Warner [of Warwick] are nominated, for two of them may go."[1]

1649. March.

1650. Oct. 26.

Williams was to be "capitulated" with about going to England, in order that he might do over again that work of his which was now undone. The story of the incapacities, and quarrels, and factions, which brought about the dissolution of the government, has been only partially preserved. We know that Coddington was chosen President of the Colony at the second election; that he did not accept the place; that it was supplied by the appointment of Mr. Jeremy Clarke to be "President Regent;" that at the same time there were "divers bills of complaint exhibited against Mr. Coddington;" that "the President elect did not attend the Court for the clearing of the accusations charged upon him;" that eight months later he sailed for England; and that two months after his departure, at the first of the special Assemblies which have been mentioned, Roger Williams, as "Deputy President," was substituted for him at the head of the government.[2] Williams, who was then

1649. March.

[1] R. I. Rec., I. 214 – 232. — A gratuity of a hundred pounds had been voted to Williams for his services in obtaining the charter (Ibid., 151, 152); but it had remained unpaid. The Colony had no money. (Ibid., 222.)

[2] Ibid., 208, 210, 211, 213, 214. — William Dyer was Coddington's ac-

at his retreat among the Narragansetts, did not want the office. He hoped that it might be offered to John Winthrop the younger, who had lately made a plantation in the Pequot country.[1] Had Winthrop been invested with it, it is bewildering to conjecture how different might have been the later history of Rhode Island. But he was probably as little prepared to accept, as the electors were to confer it upon him; and it was bestowed upon John Smith of Warwick, and in the following year upon Nicholas Easton, of Newport.[2] At Providence, Williams, faithful to his favorite office of promoting good-will, had obtained seven signatures besides his own to an agreement to "cover in the grave of oblivion what causes of difference had heretofore been given, either by word or misbehavior, in public or private," and to proceed thenceforward, "in words and behavior, so moderately and orderly as the cause should permit."

May 22. 1650. May 23.

1647. December.

At the beginning of the new organization, some questions had arisen between Newport and Portsmouth relating to its effect upon the combination that had for seven years subsisted between them. Williams wrote a letter proposing that arbitrators should be chosen, three by Portsmouth, and one by each of the other towns, to determine the conditions of a reconciliation; but there is no evidence that his advice was taken.[3]

1648. August.

cuser, or one of his accusers. (Ibid., 219.) — Williams was chosen Deputy President in his absence. (Williams to Winthrop, in Knowles, 230.) "I wrote to them about an act of oblivion," says the good and sanguine man, "which, blessed be the God of peace, they have passed." (Ibid.)

[1] See his letters to John Winthrop, Jr., dated "Caucaumsqussick, 1, 48, *so called*" (March 1 and May 3, 1649), in Knowles, Memoir, 230, 234.

[2] R. I. Rec., I. 216, 220. — "Upon discharge of my service, we chose Mr. Jo. [John] Smith, of Warwick, the merchant or shop-keeper that lived at Boston, for this year, President." (Williams in Knowles, 234.) A Warwick man for Governor of the colony, was an expressive sign of the colony's decay. Smith was the person who, in Massachusetts, had got himself into trouble as the partisan of Child (see above, p. 169), and had thereby secured himself a welcome at Warwick.

[3] Ibid., 212 – 215.

Presently afterward, Coddington, in behalf, as he alleged, of "the majority of the people of Rhode Island," applied to the Commissioners of the Four Colonies, for their admission into the Confederacy. But this, he was told, the islanders could not obtain except by placing themselves under the government of Plymouth, which had a patent right to jurisdiction over their territory.[1] September.

Whatever confidential communications may have passed between the Federal Commissioners at their early meetings, the chief business exhibited in the records concerned those relations of the Colonies to the French and Dutch which have been already described, and their relations to the Indians. During the three or four years of Gorton's absence in England,[2] his friends the Narragansetts

[1] Records, &c., in Hazard, II. 99, 100; see above, p. 220, note 2. — "The Commissioners have considered what you have propounded either by speech or writing, and find your present state full of confusion and danger, having much disturbance amongst yourselves and no security from the Indians; they desire therefore in several respects to afford both advice and help; but, upon the perusal of the ancient patent granted to New Plymouth," &c. — Coddington was earnestly desirous to effect some arrangement to relieve himself from the discomforts of his present position. It is probable that he was altogether dissatisfied with the proceedings, which, under the patent obtained by Williams, had been had for a junction of the towns under one government, and that he considered both the obtaining of the patent, and the arrangements which had followed, as having been without good authority or good reason; and the companionship into which he had been brought was altogether distasteful to him. Four months before his application to the Commissioners, mentioned above, he had written to Winthrop: "Sir, this bearer [Captain Partridge] and Mr. Balston, and some others of this island, are in disgrace with the people in Providence, Warwick, and Gorton's adherents on this island, for that we will not interpose, or meddle at all in their quarrels with the Massachusetts and the rest of the Colonies, and do much fear that Gorton will be a thorn in their and our sides, if the Lord prevent not." (Hutch. Coll., 224, 225; comp. Mass. Hist. Coll., XXIX. 271.)

[2] It is not precisely known when Gorton went to England. In the Parliamentary Commissioners' Order of May 15, 1646, they say that he had delivered to them a complaint "some months" before; and he publishes (in Simplicitie's Defence, 94) a letter addressed to him from America, November 20, 1645. On the other hand, that, as late as August, 1644, he had no intention of immediately leaving Rhode Island, may be inferred from Coddington's letter, quoted above (139, note 3); and Winslow (83) mentions him as being still there in November of the same year. It follows that he made his voyage some time between November, 1644, and November, 1645.

had experienced some ill consequences of the confidence which they had reposed in him. The resistance to the colonists, which he had encouraged, proved a losing game. The royal protection which he had promised, was not afforded.

In the spring after the truce which they had been persuaded to make,[1] a force of Narragansetts, said to amount to a thousand men, and to have as many as thirty muskets, fell upon the Mohegans, who again defeated them, but not without considerable loss.[2] An occasion was thought to have thus arisen for an extraordinary meeting of the Federal Commissioners, who accordingly came together at Boston. Thence they despatched messengers to the hostile sachems, requiring their presence in person, or by ambassadors, "to declare and prove upon what occasions and grounds the war was broken out, and . . . . . to treat and conclude, as occasion should require, ... to restore and confirm peace." In case of a refusal on the part of the Narragansetts, the messengers were to "acquaint them that the English were engaged to assist against these hostile invasions, and that they had sent of their men to defend Uncas." The messengers returned, bringing the defiance of the Narragansett chiefs; and "Mr. Williams, by the messengers, wrote to the Commissioners, assuring them that the country would suddenly be all on fire by war;" and "that the Narragansetts had been with the plantations combined with Providence, and solemnly treated and settled a neutrality with them."

Hostile movements of the Narragansetts. 1645.

July 28.

"The premises being weighed, it clearly appeared that God called the Colonies to a war." The call was promptly answered. It was determined to issue a "Declaration" of "the grounds and justice" of the measure;[3] to keep

[1] See above, p. 139.

[2] Winthrop, II. 245; comp. the letter of Thomas Peter to Winthrop. (Ibid., 464.)

[3] The "Declaration" recites all the occasions of complaint against the Narragansetts since the time of the conquest of the Pequot country, and con-

a day of fasting in all the Colonies in the following week; and to send three hundred men into the field, "whereof from the Massachusetts one hundred and ninety, Plymouth forty, Connecticut forty, and New Haven thirty." The command-in-chief was given to Major Edward Gibbons, of Massachusetts,[1] with

Preparations of the Colonies for war.

cludes as follows: "It clearly appears that God calls the Colonies to a war. The Narrohigansetts and their confederates rest on their numbers, weapons, and opportunities to do mischief, as probably as of old Ashur, Amalek, and the Philistines did confederate against Israel. So Sathan may stir up and combine many of his instruments against the churches of Christ; but their Redeemer is the Lord of Hosts, the Mighty One in battle; all the shields of the earth are in his hands; he can save by few and by weak means, as by many and great. In him they trust." (Records, &c., in Hazard, II. 45 – 51.)

[1] The history of Edward Gibbons was peculiar. He first appears as one of Thomas Morton's unsavory company at Merry-Mount. Probably he was a brother of Ambrose Gibbons, and had been previously with him at the mouth of the Piscataqua. (See Vol. I. 523, note 1.) He was present at the ordination of Mr. Higginson at Salem, and from that time his feelings took a different turn. (Scottow, Narrative of the Planting of the Massachusetts Colony, &c., in Mass. Hist. Coll., XXXIV. 289.) Before long he joined the church in Boston, where he became a freeman at the first Court of Election. (Mass. Rec., I. 366.) When he left Merry-Mount he had not left its habits (*cœlum, non animum*); for in the August after he became a citizen the Magistrates had occasion to fine him twenty shillings "for abusing himself disorderly with drinking too much strong drink." (Ibid., 90.) He however represented Charlestown as one of the "two of every plantation appointed [1632] to confer with the Court about raising of a public stock." (Ibid., 95.) His military turn was recognized in 1634 and 1637 by his being promoted to be successively Captain Underhill's ensign and lieutenant (Ibid., 129, 191), though in the mean time (March 3, 1636) he had been discharged from service at the Castle (Ibid., 165), perhaps from having incurred suspicion of being a partisan of Mrs. Hutchinson. (Ibid., 225.) In 1639, he was sent to "train the band at Weymouth" (Ibid., 279); and in 1641 he was "appointed to see to the laying of the ordnance in Boston." (Ibid., 339.) He was frequently a Deputy to the General Court (Ibid., 135, 173, 250, 271, 288, 336, II. 22, 33, 96, 145, 186), and was advanced to the magistracy in 1650. (Ibid., III. 182.) In 1645, at the time of the capture of the Bristol ship in Boston harbor (see above, p. 161), Gibbons, as "chief military officer of the train-band of the town of Boston," was "by the Court required and authorized to see the peace to be kept, both in the said town and harbor, from all hostile and mutinous attempts or insurrections" (Ibid., 38), and was instructed, with Sedgwick, of Charlestown, "not to permit any ships to fight in the harbor without license from authority." (Winthrop, II. 247.) He was undoubtedly a man of abilities and activity. Edward Johnson had a high opinion of his military capacity. "Over the regiment

a council of war, consisting of the commanders of the several colonial contingents; namely, Captain John Leverett and Lieutenant Humphrey Atherton, of Massachusetts, Captain Miles Standish, of Plymouth, Captain John Mason, of Connecticut, and Lieutenant Robert Seeley, "or such other as should have chief command

of Suffolk was Major Edward Gibbons, who hath now the office of a Major-General also. He is a man of a resolute spirit, bold as a lion, being wholly tutored up in New-England discipline, very generous, and forward to promote all military matters. His forts are well contrived, and batteries strong, and in good repair; his great artillery well mounted, and cleanly kept." (Wonder-Working Providence, &c., 191.)

In his private capacity, Gibbons was a merchant, and, it is to be feared, not a prudent, perhaps not a scrupulous one. He got involved with La Tour; and by that ill-luck, according to Winthrop (see above, p. 200, note 2) "was quite undone." But he was not so undone, but that the next year he was sending "a new ship of about one hundred tons to Virginia" for tobacco. (Winthrop, II. 305.)

There is an extraordinary little passage in Gibbons's life, which asks elucidation. In June, 1637, Winthrop (I. 226, 227, &c.) writes: —

"About this time came home a small pinnace of thirty tons, which had been forth eight months, and was given for lost. She went to the Bermuda, but by continual tempests was kept from thence, and forced to bear up for the West Indies, and, being in great distress, arrived at Hispaniola, and not daring to go into any inhabited place there, but to go ashore in obscure places, and lived of turtles and hogs, etc. At last they were forced into a harbor, where lay a French man-of-war with his prize, and had surely made prize of them also, but that the providence of God so disposed, as the captain, one Petfree, had lived at Piscataquack, and knew the merchant of our bark, one Mr. Gibbons. Whereupon he used them courteously, and, for such commodities as she carried, freighted her with tallow, hides, etc., and sent home with her his prize, which he sold for a small price to be paid in New England. He brought home an aligarto, which he gave the Governor."

Such was the story told to Winthrop on the pinnace's return to Boston, though he does not say from whom he had it. The commander of the craft had not dared "to go to any inhabited place," and was in danger of being captured by a French man-of-war; — though England was at peace with all the world. He went "ashore in obscure places, and lived of turtles and hogs, etc.;" — possibly he went to Tortugas (the Turtle island), at the west end of Hispaniola, a customary haunt of Buccaneers. "The captain" of the French man-of-war, "one Petfree, had lived at Piscataquack;" — a fact undiscoverable from the local records. He had there known Mr. Gibbons, and for old acquaintance' sake, as well as "for such commodities as she [Gibbons's vessel] carried, freighted her with tallow, hides, etc.;" — the Buccaneers are said to have derived their name from their business of killing the multitudinous herds of black cattle on the islands for their hides and

of the forces coming from New Haven." To guard against any sudden surprise of Uncas, it was "agreed to have forty soldiers sent" from Massachusetts "with all expedition for his defence;" and they were actually "sent forth within three days armed and victualled," while the other troops were promptly mustered, and some vessels

tallow. The Frenchman had a prize, "which he sold for a small price to be paid in New England."

If the story told to Winthrop looks as if it was framed to cover up a transaction between a Massachusetts official and a West-Indian Buccaneer, I cannot help it. At the date of the story, Gibbons had not been very long a reformed man. In 1637, the morals of the seas, especially of the West-India seas, were lax; the maxims and usages of Drake and Hawkins and their compeers were not yet obsolete.

Some of the crew had prodigious experiences to relate, which were appropriate grist for Cotton Mather's mill. He relates (Magnalia, Book VI. Chap. I. § 3) that Gibbons's crew having been reduced by hunger to decide by lot who should die for the preservation of the rest, they prayed before doing execution on their doomed comrade, and "there leaped a mighty fish into the boat." The same process had to be gone through a second time; "they once again fall to their importunate prayers, and behold, a second answer from above, a great bird lights, and fixes itself upon the mast." Still the sufferings recurred, the third lot was drawn, and the devotions were repeated, when a vessel appeared, which "proved a French pirate." "The commander was one who had formerly received considerable kindnesses of Major Gibbons at Boston, and now replied cheerfully, 'Major Gibbons, not a hair of you or your company shall perish, if it lies in my power to preserve you.' Accordingly he supplied their necessities, and they made a comfortable end of their voyage."

According to the account published in London, in 1708, of the voyage made to the Northwest Coast by "Admiral Bartholomew de Fonte, then Admiral of New Spain and Peru, and now Prince of Chili," a vessel was on that coast in July, 1640, having on board her owner, Edward Gibbons, "a fine gentleman, and Major-General of the largest colony in New England, called the Maltechusetts." (Burney, Chronological History, &c., III. 189.) The genuineness of the tract has been disputed. Sufficient proof of its spuriousness is afforded by the documents of Massachusetts and of Boston, which abundantly show anachronisms in the story, and the *alibi* of Edward Gibbons, the "fine gentleman and Major-General." (See North American Review, XLVIII. 129 – 132, 558 – 563.) The forgery was not an unskilful one, and the writer had some local knowledge. He gives to the commander of Gibbons's ship the name of *Shapley*. Shapleigh was a Piscataqua name, and *Conihasset*, which he places near Nootka Sound, strikes on the ear with an echo of Boston Bay.

Winthrop (II. 264, 274) affords us a glimpse of another of these sea-rovers, named Cromwell, who, in 1646, exhibited his magnificence and his despotic command, and found work for the gossips, at Plymouth and at Boston. Comp. Bradford, 441, 442.

were collected to go round Cape Cod, and attend them with provisions.[1]

At an earlier period of the dispute, the Narragansetts had sent "a present, expressing their desire to keep peace with the English, but desiring to make war with Uncas for their sachem's death. Mr. Winthrop, then Governor, would not receive it upon any such terms," but consented to their urgency so far as to retain it "till they had further advised with their sachem." By the advice of the Commissioners, it was now carried back, to show the savages "the resolution of all the Colonies for war." The bearers of it were instructed to renew the proposal for

[1] Records, &c., in Hazard, II. 30, 33, 36. — Atherton was already "on his march" with forty men, when the General Court of Massachusetts came together for a special session (Aug. 12). The last year's jealousy of the Deputies was revived (see above, p. 168). "They sent three or four of themselves to the Magistrates with a bill to this effect; viz., that in regard the forty soldiers were gone forth without commission from the General Court, that a commission might be sent after them." The Magistrates consulted with the Commissioners, and "returned the bill without consenting to it. The Deputies, not satisfied with this, desired a conference, in which the case was debated. The Deputies alleged that, seeing the Court was now assembled before the forty men were gone out of the jurisdiction, they ought to have commission from the Court; otherwise, if any blood should be shed, the actors might be called to an account for it. . . . . After much agitation and long time spent herein, it was at last agreed that the Court would allow the proceedings of the Commissioners in this case, for the matter thereof; but they would reserve the manner of proceedings as to their own Commissioners [Winthrop and Pelham] to further consideration, and so go on to expedite the present business." (Records, &c., in Hazard, II. 31, 32; comp. Mass. Rec., III. 39, 40.)

Gorton says (Simplicitie's Defence, &c., 93) that at this time Standish, in the name of his Colony, summoned Providence to renounce its neutrality. Winslow (Hypocrisie Unmasked, &c., 85) submits to the reader the question, "whether necessity put him not upon this course, or no." He says he heard Standish "relate that, being at the place of rendezvous, before the Massachusetts forces came, observing that some of the inhabitants of Providence received the Indians into their houses familiarly, who had put themselves into a posture of arms, and the place within a mile of Seekonk, or Rehoboth, where Captain Standish lay, he sent to Providence, and required them to lay aside their neutrality, and either declare themselves on the one side or other; for, the war being once begun, he would not bear with their carriage in entertaining, furnishing, and relieving the common enemy, but would disarm them, &c." For this engagement of the Providence people to be neutral, see above, p. 224.

the sachems to present themselves at Boston; but to add, that "deputies would not now serve, nor might the preparations in hand be now stayed." Williams attended the messengers as interpreter, and probably made himself useful, though the Commissioners blamed their agents for employing him.[1] The chiefs were brought to reconsider their rash decision; and Pessacus and Mixan, Narragansett sachems, with Ninigret, sachem of their Nyantic allies,[2] and attendants upon each, appeared at Boston, where in a few days they made a treaty of "firm and perpetual peace, both with all the English United Colonies and their successors, and with Uncas, the Mohegan sachem, and his men, with Ousamequin, Pomham, Sacononoco, ... and all other Indian sagamores and their companies, who were in friendship with, or subject to, any of the English." They agreed to reimburse the charges of the expedition against them to the amount of "two thousand fathom of good white wampum" in four instalments, and to leave four children of their chiefs as hostages for their execution of the compact.[3]

Treaty of peace.

The instalment due in the following spring was not paid. This default was not so important in itself, as for the reviving insubordination which it betokened; and, when it still continued after more than a year had passed, the Commissioners feared that intelligence which reached them afforded the explanation of it. They were "informed credibly," that the Narragansetts had "been plotting, and by presents of wampum engaging the Indians round about to combine with them against the English Colonies in war." At a special meeting held at Boston, they resolved to send to Pessacus, and require his immediate presence before them, with the usual promise of freedom to return. The

Breach of the treaty.

1647. July 26.

[1] Records, &c., in Hazard, II. 36–38.

[2] Ninigret's seat was in what is now the town of *Westerly*, in Rhode Island. See Vol. I. 24.

[3] Records, &c., in Hazard, II. 38–43.

messengers brought back his answer, to the effect, — 1. that he acknowledged to "have broken his covenant these two years, and that it was, and had been, the constant grief of his spirit;" 2. that he was prevented by illness (which, however, the messengers said they saw no signs of) from presenting himself to the Commissioners; 3. that he sent Ninigret, with full powers to act for him; 4. that "when he made his covenant, he did it in fear of the army that he did see."

Ninigret appeared, and argued the question anew. "He first pretended ignorance, as if he had not known what covenants had been made." Then he "asked, for what the Narragansetts should pay so much wampum." The ground having been patiently gone over again with him, he professed that he "was resolved to give the Colonies due satisfaction in all things," and sent away some of his followers to collect the wampum which remained due. They returned in two or three weeks with only a small portion of it. Ninigret alleged that this deficiency was owing to his absence. The Commissioners took him at his word, and dismissed him with the threat, that, "if they brought not a thousand fathom more within twenty days, the Commissioners would send no more messengers, but take course to right themselves, as they saw cause, in their own time." They then set the hostages at liberty.[1]

Aug. 16.

Whether or not the savages were hoping and scheming for an opportunity to settle their account by an exterminating war, another year passed, and the account still remained unsettled, while the colonists continued to receive alarming intelligence of attempts of the Narragansetts to engage the powerful and mercenary Mohawks in the service of their revenge.[2] For three years longer,

[1] Records, &c., in Hazard, II. 76–80, 96.

[2] Winthrop, II. 333, 334; comp. Records, &c., in Hazard, II. 105–107. — The Narragansetts, it seems, did not now even spare their old friends at War-

a repetition of remonstrances and menaces by the English obtained nothing more than an uncertain and anxious peace. A Narragansett Indian, seized in an attempt to assassinate their ally, Uncas, affirmed that he had been bribed to the deed by the chiefs of his tribe.[1] The Commissioners became apprehensive of the effect of further delaying to bring to an issue the question of power; and they "thought meet, and agreed, to keep the Colonies from contempt among the Indians, and to prevent their improving the said wampum to hire other Indians to join with themselves, ... that twenty men well armed should be sent out of the jurisdiction of the Massachusetts to Pessacus, to demand the said wampum, and, upon refusal or delay, to take the same, or the value thereof, in the best and most suitable goods they could find." "If other means were wanting," the officer was instructed, "with as little hurt as might be," to "seize and bring away either Pessacus or his children."[2] Captain Atherton, accordingly, led twenty men through the woods to the sachem's wigwam. Leaving them at the entrance, he went in, and announced the purpose of his visit. The savage would have begun another conference; but Atherton, seizing him by the hair, led him out with one hand, while, with a cocked pistol in the other, he overawed his attendants.[3] This demonstration was decisive. The wampum was paid on the spot, and for the present the machinations of the Narragansetts seemed to be disconcerted.

1650. Sept. 5.

Decisive action against the Narragansetts.

In New Haven and Connecticut, where the Indians near the towns were more numerous than in Massachu-

wick. (Records, &c., in Hazard, II. 135.) Probably they were incensed against Gorton (who had lately returned from England) when they found how illusory were those promises of his, of protection from the King, by accepting which they had offended the other Colonies.

[1] Records, &c., in Hazard, II. 129–131.

[2] Ibid., 151, 152.

[3] I relate this episode after Mather (Magnalia, Book VII. Chap. VI. § 4). *Valeat quantum.* — Atherton was understood to know the Narragansetts well. See above, pp. 132, 226; below, p. 329.

setts and Plymouth, they were also more bold and troublesome. They were especially annoying near the western border, where the vicinity of the Dutch at once kept them in a state of constant irritation, and afforded them some security against the resentment of the English. A party of them murdered an Englishman near Fairfield. It was reported that the crew of a shipwrecked vessel had been killed by the savages on Long Island.[1] A native went into a house at Stamford, and with a hammer inflicted blows on a woman's head, which permanently destroyed her reason. He was taken and executed, but not till his friends had made such hostile demonstrations as had occasioned aid to be summoned from New Haven and the river towns.[2] An Indian declared that Sequasson, sachem of Sicaiog (Hartford), had offered him a bribe to murder Mr. Haynes, Mr. Hopkins, and Mr. Whiting, Magistrates of Connecticut.[3] Fires were set by some savages in Windsor and in Milford; and, when one of them was caught, his comrades rescued him.[4] At Stamford also, and at Southampton, they gratified their sanguinary instincts.[5] Underhill had been hunting them in the service of the Dutch, and their resentment did not distinguish between the races of foreigners. The people of Connecticut and New Haven had to keep perpetual watch and ward.

Indian troubles in New Haven and Connecticut.

1646.

1648, 1649.

The new settlement of Branford, a few miles east of New Haven, and that of Farmington, a short distance from Hartford to the west, increased the number of the towns in the Colonies of New Haven and Connecticut respectively. Branford

New settlements in the western Colonies.

16

[1] N. H. Rec., I. 134; Records, &c., in Hazard, II. 128.

[2] Winthrop, II. 188, 189; Records, &c., in Hazard, II. 23.

[3] Records, &c., in Hazard, II. 59–61; comp. Winthrop, 332, 333. The Commissioners, however, do not appear to have, on reflection, believed this story.

[4] Records, &c., in Hazard, II. 62–64; Trumbull, I. 160.

[5] Records, &c., in Hazard, II. 127–129.

was established by a junction of two companies; of which one came from Southampton, on Long Island, the other was composed of Wethersfield men who were dissatisfied with some ecclesiastical proceedings in that place. Among the planters at Farmington were some of the most esteemed citizens of Hartford.

A more important extension of the settlements of Connecticut was made in the opposite direction, under the auspices of a man who brought to her a large accession of means and of character. John Winthrop, the younger, returning from England to Massachusetts, "brought with him a thousand pounds stock, and divers workmen, to begin an iron-work." He formed a joint-stock company; the General Court encouraged the enterprise, as "much conducing to the good of the country," by voting them land, a monopoly of the article for twenty-one years, and "freedom from public charges, trainings, &c.;"[1] and a beginning was made at Braintree. 1643.

For a time the project excited great expectation; but the prime mover in it must be supposed to have been disappointed; for, after three years, we find him to have transferred his attention to another object. By him and "Mr. Thomas Peter, a minister, brother to Mr. Peter of Salem," "a plantation was begun at Pequot River;" and the General Court of Massachusetts gave authority "to them two for ordering and governing the plantation till further order." It was known that Connecticut, on some grounds not yet considered, made a claim to the territory. But "it mattered not to which jurisdiction it did belong, seeing the confederation made all as one; but it was of great concernment to have it planted, to be a curb to the Indians, &c."[2] It was at the very doors of Uncas, who, with all

Plantation of Winthrop the younger at Pequot River. 1646.

[1] See Vol. I. 613; comp. Winthrop, II. 212, 213, App. A. 69.

[2] Winthrop, II. 266; comp. Records, &c., in Hazard, II. 71. — "Pequot harbor and the lands adjoining" had early been had in view as an advantageous

his motives for obsequiousness to the English, had to be looked after with a sleepless eye. At his new residence, Winthrop was but thirty miles distant from the Narragansett home of Roger Williams, which lay in the most convenient road between the western and the Atlantic settlements. The place was called by the Indians *Nameag*. Winthrop would have had his settlement remain a dependency of Massachusetts; but the Commissioners,

1647. July 26. on a reconsideration of the subject, "concluded that the jurisdiction of that plantation doth and ought to belong to Connecticut;"[1] and presently afterwards he received a commission from the General Court of that Colony to execute justice

Sept. 9. according to their laws and the rules of righteousness."[2]

place for a settlement. (Records, &c., in Hazard, II. 17.) The Records of the General Court of Massachusetts, for October 7, 1640, (I. 304,) have the following entry: "Mr. John Winthrop, jr. is granted Fisher's Island, against the mouth of Pequot River, so far as is in our power, reserving the right of Connecticut and Saybrook;" and Connecticut confirmed the grant six months later. (Conn. Rec., I. 64.) June 28, 1644, the General Court of Massachusetts ordered "that Mr. John Winthrop, jr. . . . . should have liberty to make a plantation in the Pequot country, with such others as should present themselves to join in the said plantation, and they should enjoy such liberties as were necessary, and other far remote plantations did enjoy; and also to lay out a convenient place for iron-works, provided that a convenient number of persons to carry on the said plantation did appear to prosecute the same within three years." (Mass. Rec., II. 71.) Within the appointed time a convenient number did appear. Winthrop was on the spot, probably for an inspection of it, in June, 1645, as appears from a letter of Roger Williams, addressed to him there. (Knowles, 207.) As early as September, 1646, "some few families being gone to the new plantation at Pequot, some of them kept in the Indians' wigwams there, while their own houses were building" (Winthrop, II. 276; comp. Mass. Rec., III. 76); and Winthrop joined them, going by water from Boston to his "new habitation," in the following month. (Winthrop, II. App. A. 65.) Peter was not permanently an associate of the new planters. He went to England not long after November, 1646, (New England's Salamander, 17,) and never returned.

Davenport and his friends at New Haven were in great hope that Winthrop would take up his abode with them; and for a while he seems to have entertained thoughts of gratifying them. They went so far as to provide a house for him in their town. The benefit of his medical knowledge and skill was extremely desired. (See Davenport's letters to him, in Mass. Hist. Coll., XXIX. 294, 297; XXX. 6, 8, 11–15, 21–25.)

[1] Records, &c., in Hazard, II. 87.

[2] Conn. Rec., I. 157; comp. 164.

It was here, or at a spot further east, on the Paucatuck River, where Winthrop undertook a settlement at a little later time,[1] that Williams had wisely desired to find a Governor for Rhode Island, "in case of any possible stretching the bounds" of that Colony so far.[2]

Till now, the "rules of righteousness," as the minds of the rulers conceived them, mainly constituted the laws that were in force in Connecticut. The desirableness of a written code had not been overlooked; and Ludlow, a person eminently competent for the business, had by the Court been "desired to take some pains in drawing forth a body of laws for the government of this Commonwealth."[3] But it was a work of time; and Ludlow, in his frontier home, had many other engagements. The records of the Colony, for the period under our notice, relate, in great part, to a judicial administration conducted upon general principles of equity. Of course it lacked uniformity, and different degrees of punishment were meted out to the same offence. But what was wanting in strictness of legal provision was more or less compensated by minute acquaintance with the circumstances of each case as it arose; and substantial justice was done.[4] Of rules made

Legal administration in Connecticut. 1646. April 9.

[1] Letters of Williams, in Mass. Hist. Coll., XXIX. 279, 282.

[2] "Some were bold . . . . . to use your name, and generally applauded and earnestly desired, in case of any possible stretching our bounds to you, or your drawing near to us, though but to Paucatuck." (Ibid., 286.) At Paucatuck (Stonington) it seems Winthrop had an outpost as early as March of the preceding year. "Sir, I am exceeding glad of your beginnings at Paucatuck." (Ibid., 283.) At the special meeting of the Commissioners in July, 1647, he had desired their ratification of a claim which he made "to a great quantity of land at Nyanticott by purchase from the Indians before the [Pequot] wars" (Records, &c., in Hazard, II. 93); but the Commissioners from Connecticut objected, and the claim was not pressed. The name *Nyanticott* designated more or less of the country between the rivers Pequot and Connecticut, including the present town of Lyme.

[3] Conn. Rec., I. 138; comp. 154.

[4] In a case of defamation, after the offenders had been fined, an order was passed for "a writing to be prepared and openly read in the several towns for the clearing" of the injured person, and another for his special protection against a repetition of the wrong.

from time to time to determine the duty of the citizen on some passing occasion, the force soon expired, either by express provision, or by the nature of the obligation imposed. Alarms from the Indians, and altercations with the Dutch, shared, in the business of the Courts, with deliberations about the disposition of lands, the control of houses of public entertainment, the supervision of weights and measures, the purchase and distribution of arms, the regulation of ferries, the registration of births and marriages,[1] the branding of swine and cattle, the laying out of highways, the fixing of prices, the administration of estates, the maintenance of ministers, contributions for the College, and a great variety of matters incident to the internal order and daily comfort of a forming community.

The records of New-Haven Colony, for a period of nine years beginning with the first year of the Confederacy, are lost.[2] The records of the town, which were made out in great detail, indicate a course of public administration of the same general tenor as that in Connecticut; for the condition of the two Colonies, and their occasions of legislation and of judicial procedure, were essentially alike. Something in the nature of a code, though elementary and imperfect, was produced, when the town government of New Haven ordered a collection to be made of such orders, of earlier date, as were of a permanent nature;[3] and there is some reason to believe, that, three or four years later, a digest was made by the colonial authority.[4] Always wisely thoughtful for the rising

Administration in New Haven.

1645. Feb. 24.

(Ibid., 97, 98.) "Baggett Egleston, for bequeathing his wife to a young man, was fined twenty shillings." (Ibid., 127.) "Cooper, for his misdemeanor in inveigling the affections of Mr. Lee his maid, without her master's consent," was sentenced "to pay Mr. Lee twenty shillings, and twenty shillings' fine to the country." (Ibid., 142.)

[1] Ibid., 105. — Plymouth adopted the same useful system, and improved upon it by requiring also a registration of burials. (Plym. Rec., II. 96.)

[2] The chasm is between April 3, 1644, and May 25, 1653. (N. H. Rec., I, iv.)

[3] N. H. Rec., I. 191 – 219.

[4] See below, p. 375.

generation, the town of New Haven, in the ninth year from its foundation, directed the reservation of a lot of land "commodious for a College, which they desired might be set up so soon as their ability should reach thereunto."[1] But more than fifty years passed before that wish could be fulfilled.

The two western Colonies had been associated "in sending to procure a patent from the Parliament."[2] Before it could have been known that the joint movement was frustrated by the disaster to Lamberton's ship,[3] in which Mr. Gregson, charged with the application, had sailed for England, Connecticut renewed her endeavors for the much-desired object in another form. The Governor, the Deputy-Governor, Mr. Fenwick, and two other Magistrates, were appointed by the General Court to "agitate the business;" and Mr. Fenwick was desired, "if his occasions would permit, to go for England to endeavor the enlargement of the patent."[4] But as to a patent, no one of the three unchartered Colonies of the Confederacy had any success with the Parliament.

1644. Nov. 11.

1645. May 13.

At the end of its first twenty-five years, the importance of the town of Plymouth in relation to the rest of the Colony of that name had been much diminished. "Many having left the place, by reason of the straitness and barrenness of the same, and their finding of better accommodations elsewhere, more suitable to their ends and minds, and sundry others still

Town and Colony of Plymouth.

[1] N. H. Rec., I. 376.—"Mr. Pearce," of New Haven, seems to have a claim to be commemorated as an amateur teacher. He "desired the plantation to take notice that, if any would send their children to him, he would instruct them in writing or arithmetic." (Ibid., 156.)

Nor did military science fail to be cultivated and extended. An artillery company was raised in 1644, and was, from time to time, encouraged by some honorable distinctions. (Ibid., 141, 156 – 159, 187, 203, 204.)

[2] Ibid., 211; comp. 149.

[3] See Mather, Magnalia, Book I. Chap. VI.; Winthrop, II. 266, 328.

[4] Conn. Rec., I. 126, 128.

upon every occasion desiring their dismissions, the church began seriously to think whether it were not better jointly to remove to some other place, than to be thus weakened, and as it were insensibly dissolved.[1] Many meetings and much consultation was held hereabout;" the result of which was, that "the greater part con-
1644. sented to a removal," and several families established themselves at Nauset, which town — the ninth in the Colony — took, a few years later, the name
1651. of *Eastham*.[2] "And thus was this poor church left, like an ancient mother, grown old, and forsaken of her children, though not in their affections, yet in regard of their bodily presence and personal helpfulness; her ancient members being most of them worn away by death, and these of later time being like children translated into other families, and she like a widow left only to trust in God. Thus she that had made many rich became herself poor."[3] But if the town had suffered a decline, and the church was dispersed, the Colony, in the measure of its scanty means, was prosperous and efficient. No member of the Confederacy was more prompt in its offerings to the common welfare. At the time of the muster for the invasion of the Narragansett country, the troops of Standish's command "were at Seekonk, the place of their rendezvous, eight or ten days before the rest were ready."[4] Plymouth was near Cape Cod, and Stamford was near Hudson's River; but no sooner was it heard at Plymouth that "injurious practices, to the murdering of some of the English," had been committed by the natives at Stamford, than forty men, with Standish at their head, were provided for a three months' campaign against the Mohawks, and received orders to be in instant readiness to march.[5]

[1] Bradford, 425.
[2] Plym. Rec., II. 167.
[3] Bradford, 427.
[4] Ibid., 434; comp. Plym. Rec., II. 63 – 65.
[5] Plym. Rec., II. 145

CHAPTER VI.

An animated dispute grew up between the three smaller Colonies on the one side, and Massachusetts on the other, occasioned by a law which had been made by Connecticut in order to fulfil her contract with George Fenwick for the purchase of the fort at Saybrook.[1] The reader will remember that the all-important measure of confederation had been delayed by "divers differences" between Massachusetts and the company which first emigrated from her territory to the west.[2] One of these related to Pynchon's settlement at Springfield, where the Connecticut people "went on to exercise their authority," while Massachusetts claimed the place as within her chartered limits.[3] Among other arrangements

[1] See Vol. I. 605; comp. Conn. Rec., I. 266–272.

[2] See Vol. I. 626, note 2. — Since the publication of my first volume, a paper of prime importance in respect to the making of the confederation has been printed in the first volume of the Collections of the Connecticut Historical Society, by Mr. J. Hammond Trumbull, from the original, disinterred by him from the chaos of the Archives of Massachusetts. It is the answer which, in the autumn of 1638, Hooker made to Winthrop's letter mentioned in my note above referred to. The warmth of its tone is such as forbids the reader to wonder that some time had to pass before the confederation could proceed. Hooker complains that he and his friends were represented in Massachusetts as "poor rash-headed creatures, who rushed themselves into a war with the heathen [the Pequot war], and, had we [Massachusetts] not rescued them, they had been utterly undone;" that in Massachusetts, and in England by her friends, emigrants had been dissuaded from going to Connecticut; and that the natives had been taught to hold the planters along the river in inferior respect. He disapproves the treaty which, in October, 1636, Winthrop had made with Miantonomo, and denies that any obligation was imposed by it on Connecticut. And he defends the scruples which had delayed the assent of Connecticut to the Articles of Confederation, differing from his correspondent in relation even to some statements of fact.

[3] Winthrop, I. 285. Comp. Mass. Rec., I. 321; Records, &c., in Hazard, II. 81, 82, 112, 119.

made by Connecticut for the collection of an export duty to pay the debt incurred to Fenwick, officers were appointed to give clearances at Windsor, Hartford, and Wethersfield; and the fort was to "make stay" of vessels which did not produce "a note or certificate from them."[1] The traders from Springfield, the other river town, refused to pay the duty, on the ground of their belonging to the jurisdiction of Massachusetts. The prescribed penalty was confiscation of the property, "the execution whereof" Connecticut "deferred until the judgment of the Commissioners of the other Colonies might be understood in the premises."[2] She accordingly brought the question before that body, representing that the purpose of the impost was "chiefly to maintain the fort for security and conveniency," and that "Springfield had in its proportion the same benefit" as the other towns. The Commissioners were of the same opinion; but, as Massachusetts had given her representatives no instructions touching the matter, they postponed the consideration of it.[3]

Imposition of an export duty at Saybrook. 1645. Feb. 5.

Appeal to the Commissioners respecting it. 1646. Sept. 22.

A special session was held the next summer at Boston. The fort had now been destroyed by fire. A written argument was delivered by both the contending Colonies. That of Massachusetts was embodied in Resolves of her General Court, to the effect, — 1. that the people of Connecticut could not rightfully compel the inhabitants of another jurisdiction to contribute to a purchase of theirs; 2. that, if the question were only as to money for maintaining the fort at Saybrook, it was "not useful" to Springfield; 3. that it was unreasonable to claim from Englishmen of Springfield a payment not demanded of Dutchmen at

Objections of Massachusetts. 1647. July.

[1] Conn. Rec., I. 120, 121; comp. 170, where again only Hartford, Wethersfield, and Windsor are named.

[2] Ibid., 189.

[3] Records, &c., in Hazard, II. 72.

Hartford, who had as much use of the river navigation; 4. that an imposition, which had been objected to by Massachusetts people before the confederation with a repugnance which "hindered it above ten years,"[1] could not, after that friendly union, be made, without "putting them to new thoughts;" 5. that the course taken was the more unjust to the settlers at Springfield, because "they with the first took possession of the river, and were at great charge at building, &c., which, if they had foreseen, would not there have planted;" and 6. that, "if Hartford jurisdiction should make use of this power over any of theirs, they conceived they had the same power to imitate them in the like kind, which they desired might be forborne on both sides."[2]

Mr. Hopkins presented the case of Connecticut. Replying to the arguments of Massachusetts one by one, he said:—1. that "it concerns not the party that pays to inquire after, or to call to account for, the employment of the moneys raised by this imposition," but that, further, "it might be absolutely denied that what was imposed to be paid by Springfield, as they passed, was to purchase lands or fort;" 2. that, in point of fact, the fort at Saybrook had "for nigh twelve years past," was still, and would be in future, "useful" to Springfield; 3. that the reference to the immunity of the resident Dutchmen was "but a presumption, and if it had any clear foundation, yet the comparison was not equal;" 4. that the facts relating to the causes of delay

Reply of Connecticut.

[1] To this statement it was correctly replied on the part of Connecticut, that "it was not above five years from the mentioned agitation for combination, and the conclusion of this present confederation, the one being June, 1638, the other agreed upon in May, 1643." (Records, &c., in Hazard, II. 82.) The Massachusetts Commissioners vindicated themselves for the apparent error by explaining that there was "a mistake in the words for want of one syllable." There would have been no pretence, they say, for this criticism, "if the word 'since' had been added, according to the true meaning." (Ibid., 112.)

[2] Mass. Rec., II. 182, 183. The date of these Resolves was Nov. 4, 1646. Comp. Records, &c., in Hazard, II. 81.

in making the confederation were altogether misstated, and that the question of an impost had not then arisen; 5. that no expectation of such an impost would have prevented the planting of Springfield, and that Mr. Pynchon, the principal settler at that place, had anticipated that it would be laid, and had for a time acknowledged its justice; 6. that the principle last asserted by Massachusetts was equitable, and would legitimately be applied to other cases, provided other cases truly parallel should arise.[1]

The reasonings having been "weighed and considered with all due tenderness and respects," the Commissioners from Plymouth and New Haven gave their decision in favor of Connecticut; adjudging, however, that the duty should "be neither at any time hereafter raised, nor increased upon any of the inhabitants of Springfield, without just and necessary cause, to be first approved and allowed by the other Colonies," and that the whole question might be reconsidered at the next meeting, if Massachusetts or Springfield should so desire.[2]

Provisional decision of the Commissioners.

At the next meeting, accordingly, the controversy was renewed; but not till a communication had been made from Massachusetts, which manifested the painful feeling that had been excited in that Colony. A General Court was held there in the month after those deliberations of the Commissioners which have just been related; but the subject was not then brought up. The next spring, at the great annual Court of Election, the Governor, Deputy-Governor, and three Assistants, with Mr. Speaker Hathorne, three other Deputies, and the Surveyor-General, were "appointed a committee to join to peruse the Articles of Confederation of the United Colonies, as also the acts which had passed the Commissioners already, which might seem to confound the power of the General Court, or so interfere with it as

Oct. 27.

1648. May 10.

[1] Records, &c., in Hazard, II. 82, 83. [2] Ibid., II. 84.

might in a short time prove, not only prejudicial, but exceeding uncomfortable." They were to "draw up what remedies they could think of, with such arguments as might be prevalent with all whom it might concern, ... that posterity might have no cause to blame" the promoters of the confederation "for uniting themselves in such a way as was feared did not now, nor was like to, answer the ends of the Colonies hereafter." The committee was to come together in the following month; and "what the major part should determine of," the Commissioners of Massachusetts were "to present to the rest of the Commissioners of the United Colonies."[1]

Proposal of Massachusetts for a revision of the Articles of Union. Sept. 7.

The result of the deliberations was accordingly communicated at the first opportunity to the Commissioners of the Colonies assembled at Plymouth. The committee proposed, that, to the end of settling the construction of some parts of the Articles of Confederation, certain specified declarations should be made, the main import of which was that "the Commissioners' power should not extend to limit or interrupt the civil government or church affairs within any of the Colonies," or to the government of Indians, or to the constituting of any "general officer of a civil nature" to execute their determinations, within the bounds of any Colony. The questions were submitted, whether the stated annual meetings of the Commissioners would not be "better to be triennial;" and whether, instead of the existing provision, which, in default of an agreement of six Commissioners to give effect to a measure, required the approval of it by all four of the General Courts, "it were not more expedient to be determined upon the agreement of any three of them, provided it be in such case wherein the Commissioners have to deal." Inasmuch as "the Colony of the Massachusetts bore almost five for one in the proportion of charge with any one of the rest, they desired

[1] Mass. Rec., III. 129.

to have one Commissioner more; or otherwise they should be content that any other of the Colonies should have the same privilege to have three Commissioners to the other two, if such Colonies would bear the like proportion of charge with the Massachusetts." "In regard of the different conditions of some of the Colonies" as to wealth, it was proposed that "some other more safe and equal course might be agreed upon" than the apportionment of pecuniary burdens according to numbers. Last came a proposal, which is scarcely to be explained except by keeping in mind the recent offensive exercise of authority on the part of the Commissioners in respect to the collection of an impost from navigators of Connecticut River. "Whereas there be divers orders made by the Commissioners, as about admission of church-members, maintenance of scholars at Cambridge, about a general trade, &c., ... all which orders are only by way of advice to the General Courts of the several Colonies, yet, forasmuch as orders by way of advice are in some cases introductions to orders of power when the advice is not followed, it is to be propounded if it were not reasonable to be declared, that in such cases, if any of the Colonies shall not think fit to follow such advice, the same not to be accounted any offence or breach of any Article of our Confederation, or to give power or occasion to the Commissioners to proceed to any act of authority in such case."[1]

Having finished this communication, the Massachusetts Commissioners proceeded to the discussion respecting the tax demanded by Connecticut at Saybrook fort. Repeating, and enlarging upon, their former arguments,[2] they now further urged, — 1. that, on well-known principles of the common law, the possession of an estate implies the possession of an unobstructed right of way to it; 2. that if Saybrook fort

Further discussion of the impost. Sept. 12.

[1] Records, &c., in Hazard, II. 108, 109.

[2] Ibid., 109–113.

was an incidental benefit to Springfield, so it was to "New Haven and Stamford, and all the towns on that side," which then ought to bear their share of the burden; 3. that, for the same reason, New Haven was not an impartial umpire in the case; 4. that no patent of Connecticut had been produced, and that such a document might throw light on the question in dispute; 5. that, if lawful, the impost was not expedient, but "a bone cast in by Sathan to interrupt our happy peace."[1] To these "fresh arguments" Connecticut replied, — 1. that the common-law rules as to rights of way did not "hold universally true, nor could be applicable to the present case;" 2. that the benefit, derived by Springfield from the fort, far exceeded that enjoyed by the settlements on the Sound; 3. that it was for the Commissioners to determine the question respecting the propriety of their interfering to settle the dispute; 4. that "the copy of the patent was seen when the confederation was made," and "the patent[2] had been lately owned by the Honorable Committee of Parliament;" and, 5. that they hoped "that the pleadings for truth might not prejudice peace."[3] It was further suggested, that the assumed fact of the position of Springfield "within another jurisdiction" was "not so cleared but that the jurisdiction of Connecticut had liberty for their inquiry, and conceived they had cause to make claim thereunto."[4]

Massachusetts answered by desiring, — 1. express information upon the point whether the duty was levied to pay "the purchase of the fort at the river's mouth, or as custom;" and, 2. a copy of any "order or orders of Connecticut" for the demand of this impost

[1] Ibid., 113, 114.

[2] The patent here spoken of was the conveyance of the Earl of Warwick, in 1631, to Lord Say and Sele, Lord Brooke, and their associates, of which conveyance the people of Connecticut conceived themselves to have obtained a sort of transfer. (See Vol. I. 605; comp. Records, &c., in Hazard, II. 123.)

[3] Records, &c., in Hazard, II. 119, 120

[4] Ibid., 116, 117.

or contribution from citizens of Springfield. And she proceeded to call in question the right of the Commissioners, under the Articles of Confederation, "to make an order to enjoin custom or impost to be paid by any particular town to its own or any other jurisdiction." The replications of Connecticut were,—1. that the impost was designed "for the erecting and maintaining a fort;" 2. that there was "an order of the General Court of Connecticut," making Springfield liable;[1] 3. that, as to the power of the Commissioners, they should "be silent."[2]

The Commissioners of New Haven, under the charge of bias, hesitated to proceed. But that objection was withdrawn, and they, with their Plymouth colleagues, reviewed the case. They "found not sufficient cause to reverse what was done the last year," while, on the other hand, as the orders of Connecticut for laying the impost were not forthcoming, "they thought it not fit . . . . . to make further conclusion upon what was now on either part presented or answered." They desired that those orders might "be brought and presented to the Commissioners for further consideration, if there were cause, the next year; and that in the mean time the two Colonies . . . . . would agree upon some equal and satisfying way of running the Massachusetts line."[3] The communication which had been received from Massachusetts respecting explanations and amendments of the Articles of Confederation led to no practical result of importance. The Commissioners expressed the opinion, that "no such interpretation should be put upon any one Article as might

[1] The original order (passed Feb. 5, 1645) laid an impost of "twopence per bushel upon all grain exported out of the river" (Conn. Rec., I. 119); but officers to collect it were appointed only for Wethersfield, Hartford, and Windsor. (Ibid., 121; comp. 170). After this meeting of the Commissioners, and just before another was to take place, the General Court expressly declared (June 6, 1649) that Springfield had been "intentionally included" all along. (Ibid., 189.)

[2] Records, &c., in Hazard, 120–122.

[3] Ibid., 122, 123.

cross the direct scope or import of the rest, or any of them." They disavowed all right on the part of the Confederacy to interfere with the affairs of any Colony, except so far as, for the purposes contemplated in the confederation, power was expressly conferred by the terms of that compact. They said that questions might be expected to present themselves, which it would not be profitable or prudent to anticipate, and the solution of which would be best sought when they arose. They suggested a caution "that the pretension made to maintain a peculiar and entire jurisdiction in each Colony within itself hinder not the attainment of the public and weighty ends of the combination." What should be done in the case of a "breach of covenant" by any Colony, they "conceived could not now be so well resolved, as when the case, in the compass and with all circumstances, should be considered." They approved, and recommended for the adoption of the several Colonies, the proposal of Massachusetts, that, when a measure within the competency of the Commissioners should fail to obtain the vote of six of their number, the consent of three of the General Courts should be equivalent. The other proposed changes in the conditions of the Federal Union they "feared would prove dangerous and inconvenient to all or some of the Colonies." Finally, they professed that as to "cases where the four General Courts had not given the Commissioners power to determine," they "did not apprehend how their recommendations could grow introductions to orders of power; if they did, they should readily close with the honored Court of the Massachusetts in providing against such an inconveniency."[1]

A special meeting of the Commissioners was convened at Boston in the following summer. In behalf of Massachusetts it was now represented, that she 1649. July.

[1] Records, &c., in Hazard, II. 114–116; comp. 135.

had formerly made an agreement with Mr. Fenwick, who represented the patentees of Connecticut, to run the boundary line between their respective jurisdictions at their joint expense;[1] that it had been run accordingly, but at her charge, Mr. Fenwick having "failed to send in any to join;" and that, if Connecticut was dissatisfied, and desired the work to be done anew, Connecticut ought to bear the cost. These proceedings were differently stated on the other side; the proposal was declined; and the main contest was revived. The nature of the past relations of Springfield to Massachusetts and Connecticut respectively was now more carefully discussed; and on the part of Massachusetts it was denied, both that there was "any fort at all in being worthy the name of a fort," and that "any instance could be given of any government in the world that had compelled the people of any other jurisdiction to contribute to the erecting of a fort or place of strength, by which they might rule over them and order them at pleasure, as well as be a protection to them." Still, the Connecticut Commissioners failed to produce their alleged patent, or a copy of it, or any formal act of their General Court imposing the tax on Springfield vessels.[2]

Retaliatory action of Massachusetts. May 2.

At this stage of the business, the Massachusetts Commissioners produced a vote passed two months before by their General Court, which, reciting the decision that had been made against Springfield, laid an impost, similar to what was exacted at Saybrook, on articles "imported within the Castle" of Boston from either of the other three confederate Colonies, or exported to them "from any part of the Bay."[3] For four years, "all strangers' ships" entering the prin-

[1] I do not know any positive proof of this alleged agreement. But see Records, &c., in Hazard, II. 18; Mass. Rec., II. 44, 264; and comp. Fenwick's letter of October, 1639, to Winthrop, in Hutch. Coll., 107.

[2] Records, &c., in Hazard, II. 135–140.

[3] Mass. Rec., II. 269, 270.

cipal harbors of Massachusetts had been required to pay such a duty "towards the maintenance of the fortification for the defence of the said harbors." The law had comprehended a *proviso*, that "none of the vessels of our confederates, or any other parts, where our ships are free of customs, &c., shall pay any custom or imposition in any of our harbors."[1] That exemption was now withdrawn. The other Commissioners naturally interpreted the withdrawal as "a return or retaliation upon the three Colonies for Saybrook." They forwarded to Massachusetts a remonstrance against her action, and with proper dignity "desired to be spared in all further agitations concerning Springfield."[2]

Merits of the controversy.

The Commissioners of the two neutral Colonies, who in this transaction disapproved the course of Massachusetts, were men of eminent integrity and good judgment. But the correctness of their decree is not unquestionable. Massachusetts was right in affirming that Springfield was within her chartered limits, and that nothing had taken place to impair her title. She was right in doubting whether the collection of a duty at Saybrook from Springfield people had ever been authorized by the General Court of Connecticut; though this was a subordinate point after that government assumed the responsibility of the claim. Massachusetts was right in maintaining that the money, which Connecticut proposed to raise by an impost on subjects of another jurisdiction, was for a large purchase of her own, consisting not only of a fort, but of other property. In point of fact, she was right in calling in question the possession by Connecticut of any patent rights whatever; for the patent which had been produced when the confederation was made was only that which had been "granted by the Earl of Warwick to certain nobles and gentlemen" represented by Fenwick; all that the Con-

[1] Mass. Rec., II. 131.

[2] Records, &c., in Hazard, II. 140, 142, 143.

necticut settlers had obtained from Fenwick was a covenant to transfer it to them, "if it came into his power;"[1] and in fact the transfer had never been made. She was right in declaring — though that was not a turning point — that the work at Saybrook could be of no considerable use to Springfield as a defence, whether against Indians, Dutch, French, or English, even if it had been a place of strength, — which it never was, and it had been destroyed by fire while the dispute was pending; and she might fairly, perhaps, have gone even so far as to affirm that, regarding all the relations of the case, her own comparatively expensive work in Boston harbor was of more importance to each and every settlement of New England, than the fort at Saybrook was to any one. She was right in saying that Englishmen at Springfield ought by Englishmen to be left as free to go and come, to and from sea, as Dutchmen were at Hartford. She made a strong case when she argued that Pynchon and his friends would not, by planting Springfield, have helped the trade of the river, had they felt any apprehension that the river might be shut against them.

On the other hand, the claim upon Connecticut to be at the whole expense of a second survey of the boundary line, if not unjust, was at least ungracious, and indicative of a disposition to stand on extreme rights, in answer to what was deemed offensive encroachment. But the great considerations on which the question should have been decided belong to the right of communities inhabiting the upper sections of rivers to pass unobstructed along the lower waters to the ocean, the common highway of nations. And this point, indeed, was not unskilfully argued on the part of Massachusetts, though the reasoning proceeded not on the authority of the publicists, but on analogies of rights of way as established between private proprietors.[2] The statesmen of Massachusetts were ac-

[1] See Vol. I. 605.

[2] The reader who wishes to argue

customed to look a long way forward; and, if they had yielded to the claim of a sister Colony to control the navigation of the Connecticut by holding a fortress at its outlet, they might have estopped themselves from resisting, at a future time, a pretension of the Dutch at the mouth of the Hudson to arrest their way to the sea from any plantations they might make within their chartered boundaries on the upper waters of that river.

The imposition by Massachusetts of a tax on the commerce of the other Colonies, in consequence of what she regarded as a decision oppressive to herself, looks like an outbreak of vexation; and that it was an undignified proceeding may be said with the greater appearance of justice, because of her having so amply recognized the arbiters by the holding of an argument before them from year to year. That the measure may have been adopted under an impulse of resentment, it would not be possible to disprove. On the other hand, it might be justified as a fit reassertion of the doctrine, which the disappointed party had been urging, of a claim upon other Colonies to remuneration for expenses, as valid as the similar claim which they had sanctioned; and, by considerations of prudence, Massachusetts might seem to herself to be called upon for a practical declaration, that if, under the Articles of the Confederacy, she might be subjected to wrong, she was able, by virtue of the same interpretation of those Articles, to right and protect herself by legislation of her own. But, by whatever motives prompted, the retaliating law was not permanently approved. It was repealed in the following year.[1]

In each of the three smaller Colonies of the Confederacy, the popular attachment to the primitive leaders was remarkably constant, and there were no official changes indicating occasional variations of policy. It was other-

this last question for Massachusetts needs look no further for sufficient materials than to Wheaton's Elements of International Law, Part II. Chap. IV. §§ 10 – 19.

[1] Mass. Rec., III. 191.

wise in Massachusetts. While the most important of the events sketched in this and the last chapter were passing, Winthrop was at the head of affairs. But it was after a third interval, during which, for two years, he had held a subordinate position.

Endicott's term of office was just expiring,[1] when, on account of the "excessive charges" which fell upon the country by reason of "the over number of Deputies," a proposal was made "to have fewer Deputies, so as to have only five or six out of each shire, ... and those to be the prime men of the country." The Magistrates agreed to relinquish their power of interposing a negative, if the plan should be carried out, and the other branch be reduced in numbers to an equality with their own. "But upon trial, the greater number of towns refused it; so it was left for this time."[2] And it was not till more than two hundred years after this time, that the municipal corporations, as such, ceased to be the constituents of the second House of Legislature.

Proposal to reduce the number of Deputies in Massachusetts. 1645. April.

"The Governor and Assistants had used, for ten or eleven years at least, to appoint one to preach on the day of election."[3] In the disturbed year when Bellingham was made Governor,[4] "some of the freemen ..... had chosen Mr. Nathaniel Ward to preach;" and the Magistrates acquiesced in the arrangement, because they "would not strive about it," at a time of so much ill temper.[5] In the year of Endicott's first administration of the chief office, the Deputies, by an order of their own, appointed Mr. Norton, of Ipswich, to be the election preacher, possibly intending thereby to express their approval of his recent opposition to Winthrop in the matter of La Tour and D'Aulnay.[6]

1641.

1644. October.

[1] See above, p. 156.
[2] Winthrop, II. 214.
[3] Ibid., 218.
[4] See Vol. I. 611. This was also the year in which Ward's Body of Liberties was adopted. See above, p. 25, note.
[5] Winthrop, II. 35.
[6] See above, p. 155.

At the usual time, the Governor and the Magistrates proceeded to make their choice, which fell upon Mr. Norris, of Salem, the Governor's pastor. Being then first informed of what the Deputies had done, the Magistrates retracted their own vote, through "unwillingness to have any fresh occasion of contestation." The incident is of small importance, except for its probable relation to the next election of Governor. If, however, the party of Bellingham and Saltonstall were disposed to keep alive, for Winthrop's injury, the questions arising out of his conduct to the French, and if, with a view to the elevation of their own favorite, they aimed to excite a prejudice against Endicott on account of his part in the election of his minister to be the official preacher of the year, they were disappointed by the event. Bellingham was not chosen Governor, any more than Winthrop or Endicott. The selection of Dudley for the highest place, and of Winthrop for the second, suggests a union of their adherents with those of the last Chief Magistrate, while it betokens a substantial return to the former settled order of things. Endicott was placed in command of the military force, as "Sergeant-Major-General"; and Herbert Pelham,[1] a gentleman of family and fortune, was chosen to be a Magistrate, in the place of Stoughton, who had gone to England.[2]

Restoration of Dudley and Winthrop to power. 1645. May.

[1] Herbert Pelham, of Cambridge, took the freeman's oath in the same month in which he was chosen Assistant. (Mass. Rec., II. 96; comp. 293.) He was in the country five years earlier (Ibid., I. 292; comp. 271, Winthrop, II. 19; Wonder-Working Providence, Book II. Chap. XIII.), but perhaps had returned to England meanwhile. He is said to have been of the family of the Dukes of Newcastle (Hutch., I. 136, note), and to have studied at Oxford.

[2] Winthrop, II. 218 – 220. "Mr. Israel Stoughton ..... went for England the last winter, with divers other of our best military men, and entered into the Parliament's service. Mr. Stoughton was made Lieutenant-Colonel to Colonel Rainsborough; Mr. Nehemiah Bourne, a ship-carpenter, was Major of his regiment, and Mr. John Leverett, son of one of the elders of the church of Boston, a Captain of a foot company, and William Hudson, Ensign of the same company; Lioll, Surgeon

A dispute, local in its origin, and apparently of slight importance for a time, but finally engaging at once the military, the religious, and the civil authorities of the Colony, was bequeathed by Endicott to his successor.

Disturbance at Hingham.

The train-band of the town of Hingham, having chosen Anthony Eames to be their captain, "presented him to the standing Council for allowance." While the business was in this stage, the soldiers altered their minds, and in a second election gave the place to Bozoun Allen. The Magistrates, thinking that an injustice and affront had been offered to Eames, determined that the former election should be held valid, "until the Court should take further order." The company would not obey their captain, and mutinied. He was summoned before the church of his town, under a charge of having made misrepresentations to the Magistrates. He went to Boston, and laid his case before them. They "sent warrant to the constable to attach some of the principal offenders [Peter Hobart, minister of Hingham, being one] to appear before them at Boston, to find sureties for their appearance at the next Court." Hobart

of the Earl of Manchester's life-guard. These did good service, and were well approved." (Ibid., 245.)

In the year of Dudley's government, the General Court had occasion to deal with a kidnapper of negroes in Africa. The matter was brought before the Court in October by a petition from Mr. Saltonstall. (Mass. Rec., III. 46; comp. Winthrop, II. 462.) In a slave-ship, of which one James Smith was master (Winthrop, II. 243, 244; comp. 219), two negroes — whom he had seized, with others, in an attack upon a village in Guinea on a Sabbath-day — had been brought to Boston. One of them had been sold to a person living on the Piscataqua, and thither the Court sent for him. (Mass. Rec., III. 49.) When he had been recovered, they thus disposed of the business. "The General Court, conceiving themselves bound by the first opportunity to bear witness against the heinous and crying sin of man-stealing, as also to prescribe such timely redress for what is past, and such a law for the future, as may sufficiently deter all others belonging to us to have to do in such vile and odious courses, justly abhorred of all good and just men, do order that the negro interpreter, with others unlawfully taken, be, by the first opportunity, at the charge of the country for the present, sent to his native country of Guinea, and a letter of the indignation of the Court thereabouts, and justice thereof. The prosecution of this order is left to the care of our honored Governor." (Ibid., 84.)

came and remonstrated so intemperately, that "some of the Magistrates told him, that, were it not for respect for his ministry, they would commit him." Two of those arraigned with him refused to give bonds, and Winthrop sent them to gaol.

So the affair stood at the time of Dudley's accession. Hobart and some eighty of his friends petitioned for a hearing before the General Court upon the lawfulness of their committal "by some of the Magistrates, for words spoken concerning the power of the General Court, and their liberties, and the liberties of the Church." The Deputies, on their part, complied with the request, and sent a vote accordingly to the Magistrates, for their concurrence. The Magistrates "returned answer, that they were willing the cause should be heard, so as the petitioners would name the Magistrates whom they intended, and the matters they would lay to their charge, &c. . . . . The petitioners' agents, who were then Deputies of the Court, ... thereupon singled out the Deputy-Governor, and two of the petitioners undertook the prosecution." The Magistrates were loath to sanction so irregular a proceeding; but Winthrop desired to make his vindication, and the petitioners were permitted to have their way.

May 14.

Complaint against Winthrop.

"The day appointed being come, the Court assembled in the meeting-house at Boston. Divers of the Elders were present, and a great assembly of people. The Deputy-Governor, coming in with the rest of the Magistrates, placed himself beneath within the bar, and so sat uncovered." At this "many both of the Court and the assembly were grieved." But he said that he had taken what was the fit place for an accused person, and that, "if he were upon the bench, it would be a great disadvantage to him, for he could not take that liberty to plead the cause which he ought to be allowed at the bar."

In the full argument which followed, "the Deputy justified all the particulars laid to his charge; as that, upon credible information of such a mutinous practice, and open disturbance of the peace and slighting of authority, the offenders were sent for, the principal by warrant to the constable to bring them, and others by summons, and that some were bound over to the next Court of Assistants, and others, that refused to be bound, were committed; and all this according to the equity of laws here established, and the custom and laws of England, and our constant practice these fifteen years."

At first, "two of the Magistrates [no doubt, Bellingham and Saltonstall], and many of the Deputies, were of opinion that the Magistrates exercised too much power, and that the people's liberty was thereby in danger; and other of the Deputies (being about half), and all the rest of the Magistrates, were of a different judgment, and that authority was overmuch slighted, which, if not timely remedied, would endanger the commonwealth, and bring us to a mere democracy." The matter was under debate for more than seven weeks, with only one week's intermission. The Deputies, "not attaining to any issue, sent up to the Magistrates to have their thoughts about it." The Magistrates replied, that their thoughts were, — "1. That the petition was false and scandalous; 2. That those that were bound over, &c., and others that were parties to the disturbance at Hingham, were all offenders, though in different degrees; 3. That they and the petitioners were to be censured; 4. That the Deputy-Governor ought to be acquit and righted." The Deputies were ready to assent to all these propositions, except the third. But the Magistrates (Winthrop always retiring when these questions came up) "were resolved for censure, and for the Deputy's full acquittal." They proposed to advise with the Elders; but the malecontents knew that from the Elders they could hope for no favor, and they refused.

At length the matter was adjusted by an agreement on all hands for a complete acquittal of the Deputy-Governor, and the punishment of all the petitioners by fines, the largest of which was twenty pounds, and that of the minister two pounds. His acquittal. July 3.

"According to this agreement, presently after the lecture the Magistrates and Deputies took their places in the meeting-house; and, the people being come together, and the Deputy-Governor placing himself within the bar, as at the time of the hearing, &c., the Governor read the sentence of the Court, without speaking any more; for the Deputies had (by importunity) obtained a promise of silence from the Magistrates. Then was the Deputy-Governor desired by the Court to go up and take his place again upon the bench, which he did accordingly, and, the Court being about to arise, he desired leave for a little speech."

He spoke in terms befitting his magnanimous wisdom. While he "blessed God that he saw an issue of this troublesome business," he said he had no desire to review it. He was "well satisfied to have been publicly charged, and publicly and legally acquitted;" but, though this was "sufficient for his justification before men," it would not dispense him from being humble before God. Proceeding to speak to "the great questions that had troubled the country about the authority of the Magistrates and the liberty of the people," he described the responsibility of those who are called to rule, the principles of a right and reasonable criticism of their conduct, and the nature of that liberty which is not ruinous license. "It is yourselves," he said, "who have called us to this office; and . . . . . the covenant between you and us is the oath you have taken of us, which is to this purpose, that we shall govern you and judge your causes by the rules of God's laws and our own, according to our best skill." The liberty which he qualified as His vindication of himself.

civil, federal, or *moral,* "is," he said, "the proper end and object of authority, and cannot subsist without it; and it is a liberty to that only which is good, just, and honest. This liberty you are to stand for, with the hazard not only of your goods, but of your lives, if need be. Whatsoever crosseth this, is not authority, but a distemper thereof." And he concluded: "If you stand for your natural corrupt liberties, and will do what is good in your own eyes, you will not endure the least weight of authority, but will murmur, and oppose, and be always striving to shake off that yoke; but, if you will be satisfied to enjoy such civil and lawful liberties, such as Christ allows you, then will you quietly and cheerfully submit unto that authority which is set over you, in all the administrations of it, for your good. Wherein if we fail at any time, we hope we shall be willing (by God's assistance) to hearken to good advice from any of you, or in any other way of God; so shall your liberties be preserved, in upholding the honor and power of authority amongst you."[1]

Source of the difficulty.

The reader looks for some explanation, more adequate than appears upon the surface, of an excitement so great growing out of so trifling an occasion. To Winthrop's mind the opposition to the Magistrates, which had now been manifested, appeared to have been prompted by that suspicion of their entertaining ambitious designs, which had caused the attempts to disarm them of the power of defeating by their negative the action of the other branch of the government; of the power of administration during a recess of the General Court; and of the power of dispensing justice without the restraint of a written rule.[2] But there was yet another disturbing element, watched, perhaps, by the Magistrates, or by some of them, from the first of the

[1] Winthrop, II. 221 – 233; comp. Mass. Rec., II. 97, 113, 114; III. 12, 17 – 26.

[2] Winthrop, II. 230, 231; comp. Vol. I. 442, 621; II. 158.

proceeding, but not manifest to the Deputies till a later stage of it. "Mr. Hobart, being of a Presbyterial spirit, did manage all affairs without the Church's advice," and gave no heed to the counsel of the neighboring Elders when they went to Hingham to endeavor "to mediate a reconciliation."[1] When, a few months later, the plot of Child and his six friends was just ripened for execution, the Marshal was resisted in his duty of collecting the fines which had been laid upon citizens of Hingham; and Hobart abetted the disorder by "questioning the authority of the warrant, because it was not in the King's name, and standing upon his allegiance to the crown of England." A summons to him to appear before the Magistrates in Boston having been disregarded, they sent a constable after him, and bound him over for trial at the next Court. The trial took place accordingly. "The matters he was charged with amounted to a seditious practice, and derogation and contempt of authority." It was proved that "before thirty persons" he had preached the political heresies of the Presbyterian mutineers, declaring that the Massachusetts Company were "but a corporation in England," and "by the patent, as he understood it, could not put any man to death, nor do divers other things which they did," and making "other speeches tending to disparage their authority and proceedings." "The jury found that he seemed to be ill affected to this government, and that his speeches tended to sedition and contempt of authority. Whereupon the whole Court (except Mr. Bellingham, who judged him to deserve no censure, and desired in open Court to have his dissent recorded) adjudged him to pay twenty pounds' fine, and to be bound to his good behavior till the next Court of Assistants, and then further if the Court should see cause."[2]

1646. March 26.

[1] Winthrop, II. 235, 236; comp. New England's Salamander, &c., 4–6.

[2] Winthrop, II. 255, 256; comp. 313.

The Presbyterians were plotting. The Narragansetts were stirring. Connecticut was thought to be encroaching. Plainly the times were out of joint, and again there was need of Winthrop. Changing places with Dudley, he resumed the highest office, to remain in it as long as he lived. Mr. Norris, of Salem, the Magistrates' candidate for the place of clerical adviser in the preceding year, preached the election sermon. "The Magistrates and Deputies had formerly chosen the Commissioners; but the freemen, looking at them as general officers, would now choose them themselves, and the rather because some of the Deputies had formerly been chosen to that office, which gave offence," says Winthrop, "to our confederates, and to many among ourselves."[1] Deputies did not seem to the electors to be persons of sufficient dignity for the other station. Here was another evidence that the current was now setting against the party of professed champions of the people.

Election of Winthrop to be Governor. May 6.

At the same time the subject of a written code of laws was revived. The Body of Liberties was in part the proper foundation, and in part the beginning of a superstructure, of the full system of legal provisions which was desired. In the fourth year after its adoption, the General Court appointed six eminent persons in each of the counties (two in each county being ministers) "to consider of, and draw up, a body of laws." At the next annual Court of Election, they "made return of their commissions, and brought in many laws, which were read over, and some of them scanned;"[2] and the Court authorized five persons, of whom Bellingham and Ward were two, "to extract out of the whole such as should be thought fit to be established, and so to reduce them into one

Proceedings for a code of laws. 1645. May 14.

1646. May 22.

[1] Winthrop, II. 258.—Yet no person, not a Magistrate, had been a Commissioner, except (in 1644) Mr. Hathorne.

[2] Mass. Rec., II. 109.—Some of these were passed at the next Court, November 4. (Ibid., 176–182.) In several of them, the ecclesiastical jealousies, to which this year gave birth, are manifest.

volume, to agree with such as were already in force."[1] There is no reason to suppose that they who now had the business in charge desired to frustrate it; but it was not of a nature to be, at the same time, well and hastily done. The Court was careful to keep it in remembrance;[2] and at length it was matured,[3] and a copy of the code, fairly engrossed for publication, was "at the press."[4] 1648. May 10.

By degrees the original rudeness of the revenue system had been reformed. "Vintners, or other persons that had license to draw wine," were held to pay "twenty shillings for every butt of sack drawn, or begun to be drawn, and so proportionably for every greater or lesser vessel."[5] A duty of "the four-and-twentieth part of the true value" was laid on "all wines brought into the Colony in any ship or other vessel, either of the Colony or of strangers, whether English, Dutch, or others."[6] Tonnage and anchorage duties (the latter at the rate of sixpence the ton) were collected from foreign vessels coming into the harbors;[7] but from this charge vessels belonging to friends of the Parliament were exempted, in consideration of the provision of that body in favor of New-England shipping.[8] A poll-tax, not felt to be oppressive, of twenty pence annually levied on males above sixteen years of age, yielded a considerable supply. "Laborers, artificers, and handicraftsmen, (that usually took in summer time above eighteen pence by the day wages,)" were charged with a uniform tax of three shillings and

Improvements of the revenue system. 1644. Nov. 13. 1645. May 14. 1646. Nov. 4.

[1] Winthrop, II. 259; comp. Mass. Rec., II. 157.

[2] Mass. Rec., II. 168, 196, 209.

[3] Ibid., 217, 230.

[4] Ibid., 239. — I have not been able to learn that any copy of this book exists. In October of the next year the Court testified to its "finding by experience the great benefit that doth redound to the country by putting of the law in print." (Ibid., 286.)

[5] Ibid., 82. After three years, this tax was raised to fifty shillings. (Ibid., 215.)

[6] Ibid., 106; comp. 246, 259, 268.

[7] Ibid., 107; comp. 131.

[8] Winthrop, II. 236; see above, Vol. I. 583.

four pence annually; upon other persons, payments were assessed "according to their returns and incomings."[1]

In the second year of Winthrop's fourth series of services as Governor, he had the satisfaction of giving his official sanction to a measure, the worth of which no man of that day could better estimate, though no estimate of that day could approach a just conception of its beneficent issues, as later time has revealed them. Not a word of such legislation as the following must be withheld from the reader.[2] Since the seventeenth year of Massachusetts, no child of hers has been able to say, that to him poverty has closed the book of knowledge, or the way to honor.

Institution of common schools. 1647. Nov. 11.

"It being one chief project of that old deluder, Satan, to keep men from the knowledge of the Scriptures, as in former times by keeping them in an unknown tongue, so in these latter times by persuading from the use of tongues, that so at least the true sense and meaning of the original might be clouded by false glosses of saint-seeming deceivers, — that learning may not be buried in the grave of our fathers in the church and commonwealth, the Lord assisting our endeavors, —

"It is therefore ordered, that every township in this jurisdiction, after the Lord hath increased them to the number of fifty householders, shall then forthwith appoint one within their town to teach all such children as shall resort to him to write and read, whose wages shall be paid either by the parents or masters of such children,

[1] Mass. Rec, II. 173.

[2] Ibid., 203. — The measure is all the more impressive for having originated in a general voluntary movement of the people in their several settlements. In 1645, Winthrop writes: "Divers free schools were erected, as at Roxbury." (II. 215.) In 1644, the inhabitants of Dedham, "taking into consideration the necessity of providing some means for the education of youth, did, by a unanimous consent, declare by vote their willingness to promote that work, promising to put to their hands to provide maintenance for a free school." And they made for the purpose an appropriation of some lands, and of twenty pounds annually. (Haven, Historical Address, &c., 58.) Comp. Clapp, History of Dorchester, 419–429.

or by the inhabitants in general, by way of supply, as the major part of those that order the prudentials of the town shall appoint; provided those that send their children be not oppressed by paying much more than they can have them taught for in other towns. And it is further ordered, that when any town shall increase to the number of one hundred families or householders, they shall set up a grammar school, the master thereof being able to instruct youth so far as they may be fitted for the University; provided, that if any town neglect the performance hereof above one year, that every such town shall pay five pounds to the next school till they shall perform this order."[1]

Death had now begun to thin the ranks of the settlers of New England, and the career of some of the most illustrious among them was ended. The affluent and large-hearted George Willis, six years a Magistrate of Connecticut, and one year Governor, had left a memory scarcely less cherished than were to be the memories of the best of the fellow-laborers whom he had followed, or who followed him, to the grave. Of those associates, Thomas Hooker, if we may not assign to him precedence of the civil father of his Colony, was inferior in gifts and graces to none. "The whole land," wrote the contemporary chronicler of Plymouth, "sustained a great loss by the death of that most eminent servant of Jesus Christ. . . . . His name will live, and is embalmed, and doth remain, and will be as a precious ointment in the churches and amongst the saints in present and future ages. This special servant of Christ, as he served his Master with great zeal, love, wisdom, and sincerity, so he ended his life with much comfort and serenity; so as it is rare that was said of him, that the peace which he had in believing, thirty years before his death,

Death of Willis. 1645. March 9.

Death of Hooker. 1647. July 7.

[1] Mass. Rec., II. 203.

was firm, and not touched by the adversary until the period of his life; and, with much joy and peace in believing, he fell asleep in the Lord."[1] He had lived sixty-one years. His death was keenly felt throughout New England as a general calamity. He had been sharply opposed to Winthrop in the controversies which engaged their respective Colonies; but Winthrop was not a man to permit public or personal differences to obscure to him the duty, or despoil him of the satisfaction, of a cordial recognition of kindred excellence. After relating the ravages of an epidemic sickness in Massachusetts and Connecticut, he proceeds: "But that which made the stroke more sensible and grievous, both to them and to all the country, was the death of that faithful servant of the Lord, Mr. Thomas Hooker, pastor of the church in Hartford, who, for piety, prudence, wisdom, zeal, learning, and what else might make him serviceable in the place and time he lived in, might be compared with men of greatest note. And he shall need no other praise; the fruits of his labors in both Englands shall preserve an honorable and happy remembrance of him for ever."[2]

Death of Winthrop. 1649 March 26.

In less than two years after recording this tribute to his friend, Winthrop was called to follow him. Early in his sixty-second year, "he took a cold, which turned into a fever, whereof he lay sick about a month,"[3] and then closed his eyes upon

[1] Morton, Memorial, 237. — Cotton, imagined to have had some rivalry with Hooker in Massachusetts (see Vol. I. 446), wrote an elegy in eight stanzas, of which the following are two: —

"'T was of Geneva's worthies said, with wonder,
(Those worthies three,) Farel was wont to thunder;
Viret, like rain, on tender grass to shower;
But Calvin, lively oracles to pour.

"All these in Hooker's spirit did remain,
A son of thunder, and a shower of rain,
A pourer forth of lively oracles,
In saving souls, the sum of miracles."

The Muse of Bulkley, minister of Concord, also brought her tribute in a longer "lamentation" over him. According to this,

"To sinners stout, which no law could bring under,
To them he was a son of dreadful thunder;
Yet to sad souls, with sense of sin cast down,
He was a son of consolation."

If the verses are not graceful, the feeling which prompted them was most profound, reverential, and hearty.

[2] Winthrop, II. 310.

[3] Mather, Book II. Chap. IV. § 12. — The last entry, which is a long one, in Winthrop's Journal, bears the date of January 11.

a scene of rare prosperity, which he, laboring with many other good and able men, had been the chief instrument in creating. Close by a great thoroughfare of the happy city, which itself is but a part of his monument, a simple tablet, inscribed with his bright and venerable name, covers the grave in which his body was laid amidst universal mourning. Most of his ample fortune had been sacrificed in the public service, and of the rest he had been spoiled by a dishonest agent. The public gratitude made provision for his infant child.[1]

Nineteen years had passed since, disgusted with the despotism and bigotry that afflicted his home, he had come, in the prime of manhood, to the various sufferings and endless anxieties of subduing a "bare creation," and of defending the fabric which he reared there against hostility from without and from within. He had not learned that, before he died, the infatuated King who had wrought such sorrow to him and his, had perished by the hand of public vengeance.[2] But he lived long enough to know that the party, of which he had been a not unhonored associate, was installed in absolute control of the affairs of his native country. And his last look abroad rested upon the tranquil and affluent dwellings of a flourishing Christian people, enjoying a virtual independence which well-nigh realized the longing of the best third of his life. The vital system of New England, as it had now been created, was complete. It had only thenceforward to grow, as the human body grows from childhood to graceful and robust maturity.

The time that has now passed since Winthrop lived is

[1] Mass. Rec., II. 274; III. 161. — For "A List of the several heads under which were placed the several papers of greater or lesser public or private use of such writings as were left in honored Mr. Winthrop's study," see Mass. Rec., III. 179. A committee, appointed by the General Court in the May after his death, reported the list in October.

[2] The intelligence was communicated, as having just arrived, in a letter from Roger Williams to Winthrop the younger, at Pequod, dated from the Narragansett country, May 26, 1649. (Mass. Hist. Coll., XXIX. 286.)

more than a quarter as long as the time since the Norman conquest of England. The influence of his genius and character have been felt through seven generations of a rapidly multiplying people, and of those, not of their number, whom their proceedings have in any way affected. The importance which history should ascribe to his life must be proportionate to the importance attributed to the subsequent agency of that commonwealth of which he was the most eminent founder. It would be erroneous to pretend that the principles upon which it was established were an original conception of his mind; but undoubtedly it was his policy, more than any other man's, that organized into shape, animated with practical vigor, and prepared for permanency, those primeval sentiments and institutions that have directed the course of thought and action in New England in later times. And equally certain is it, that among the millions of living men descended from those whom he ruled, there is not one who does not — through efficient influences, transmitted in society and in thought along the intervening generations — owe much of what is best within him, and in the circumstances about him, to the benevolent and courageous wisdom of John Winthrop.[1]

They who, to make up their idea of consummate excellence in a statesman, require the presence of a religious sense prompting and controlling all public conduct, will recognize with admiration the prominence of that attribute in the character of this brave, wise, unselfish, and righteous ruler. His sense of religious obligation was the spirit of his politics, as well as the spirit of his

[1] All great effects have remote and slowly operating causes. I do not forget that various agencies must be combined to produce an important political result; but, to my view, the New-England campaign of 1775–76, the movement of John Adams and his compeers for Independence eighty-four years ago, and — consequent upon those transactions — the later products of self-government in America, are, to Winthrop's administration, something like what the fruit is to the blossom.

daily life. It had pleased God to place him where he might so act, as that the virtue and well-being of large numbers of men, living and to be born, might be the fruit of his courage, diligence, steadiness, and foresight. With clear intelligence he discerned the responsibilities of that position, and accepted them with a cordiality which made it easy to subordinate every less worthy object, and control every meaner motive that might interfere with the generous task he had assumed.

To the public service he lavishly gave his fortune. As freely he devoted to it the best labor of his mind, and sacrificed every personal ambition. No obstinacy, or petulance, or pride, hindered the upright application of his serene and solid judgment. Not only did he not suffer injustice to irritate him; he would not be disabled, nor discouraged, nor depressed by it. Immovably patient of opposition, he scanned its reasons in reconsideration of his own plans, or watched its course to learn how it could be conciliated, or to note the time when its relaxation, or its errors, should invite a repetition of the efforts which it had embarrassed. He was too right-minded and too kind-hearted to despise any man's good-will or good opinion; but he sought public favor by no arts but honest labors for the public welfare. And he was far above regarding public favor as the price that was to stimulate or to requite those labors. When, from time to time, the place of highest dignity was assigned to others, he addressed himself, with no sense of mortification, and with unabated zeal, to the tasks of humbler station. He knew how with dignity to meet injustice and slights, as well as how to hold power and receive applause with soberness and modesty. Vindictiveness was an emotion unknown to him; resentments had no resting-place in his bosom. He judged candidly; he forgave without an effort; he loved to win back the offended by graceful overtures and prompt amends; and personal discontents could not withdraw him from

alliances which would help him to promote the general good. So gentle was his nature, that no bitterness mingled with, or was excited by, the severest exercise of his official authority; men who had grievously suffered from his action as a magistrate — Coddington, Wheelwright, Williams, Vane, Clarke — were afterwards in friendly correspondence with him. In private relations and intercourse, the qualities that specifically denote the gentleman were eminently his. His genuine sense of honor suspected no intention of offence. Just, frank, cordial, and ready to every expression of respect and courtesy, he gave to all their due, whether in great or in little things. Gracious and humane, he never, by the rudeness of self-assertion, gave pain to an inferior. A tender husband and father, his public cares never made him forgetful of the obligation of the domestic ties. What remains of his private correspondence is an affecting record of that union of excellences which attracts love as much as it commands veneration.

His ability ought to be estimated by the amount and the quality of what it projected and what it achieved. His scheme of public action had been so well considered, that no complication of affairs found him unprepared with the principles which were to solve it; and, in the quaint phraseology of his age and sect, he was used to express, as occasion prompted, the profoundest doctrines of social science. His comprehensive system of politics embraced a long range of the future. Not magnificence, nor inordinate power, was what he desired for the community which he was establishing; but freedom, security, competency, virtue, and content. The founders of dynasties have hitherto commanded the world's most noisy plaudits. But the time will come, when the men who have created happy republics will be thought worthy of higher praise.

The defective part of his intellectual character, as it

presents itself to the view of a later age, was his easiness of belief. Yet simply to tax him with credulity is to express no weighty censure; for what man may pretend that his reasons precisely fix the measure of his faith? To say that stories of monstrous marvels, to which so singular a condition of life gave rise, found in him an interested listener, or that successes or calamities were unreasonably construed by him as judicial rewards or penalties, is to say no more than that, in this respect, his habits of thought were the same as those of the wisest of his contemporaries, and did not anticipate the more cautious philosophy of later times. If the fact that he did not read the Bible with uniform good judgment is to be made the foundation of any correct inference, it must be coupled with the fact that he belonged to the second generation that came forward after the reform from Popery had placed the open Bible in the people's hands. Born and receiving his early education in the reign of Queen Elizabeth, he passed his life in an age when the science of Biblical interpretation was not far advanced beyond its rudiments.

He was greatly privileged in living so long. Just before he died, that ecclesiastical arrangement had been made, which he might naturally hope would preserve the churches of New England in purity, peace, and strength, to remote times.[1] Religious and political dissensions, which had disturbed and threatened the infant Church and the forming State, appeared to be effectually composed. The tribunals, carefully constituted for the administration of impartial and speedy justice, understood and did their duty, and commanded respect. The education of the generations which were to succeed had been provided for with an enlightened care.

Prosperous condition of New England.

[1] There were now about sixty ministers in New England. (See Winthrop, II. 331, note.) "It being as unnatural for a right New-England man to live without an able ministry, as for a smith to work his iron without a fire." (Wonder-Working Providence, 177.)

The College had bountifully contributed its ripe first-fruits to the public service; and the novel system of a universal provision of the elements of knowledge at the public cost, had been inaugurated with all circumstances of encouragement.

A generation was coming forward which remembered nothing of what Englishmen had suffered in New England for want of the necessaries and comforts of life. The occupations of industry were various and remunerative. Land was cheap, and the culture of it yielded no penurious reward to the husbandman; while he who chose to sell his labor was at last at liberty to place his own estimate upon it, and found it always in demand. The woods and waters were lavish of gifts which were to be had simply for the taking. The white wings of commerce, in their long flight to and from the settler's home, wafted the commodities which afford enjoyment and wealth to both sender and receiver. The numerous handicrafts, which, in its constantly increasing division of labor, a thriving society employs, found liberal recompense; and manufactures on a larger scale were beginning to invite accumulations of capital and associated industry.[1]

[1] "The Lord hath been pleased to turn all the wigwams, huts, and hovels the English dwelt in at their first coming, into orderly, fair, and well-built houses, well furnished many of them, together with orchards filled with goodly fruit-trees, and gardens with variety of flowers. There are supposed to be in the Massachusetts government, at this day, near a thousand acres of land planted for orchards and gardens; besides, their fields are filled with garden fruit, there being, as is supposed, in this Colony, about fifteen thousand acres in tillage, and of cattle about twelve thousand neat, and about three thousand sheep. . . . . There are many hundreds of laboring men, who had not enough to bring them over, yet now worth scores, and some, hundreds of pounds." (Johnson, Wonder-Working Providence, &c., 174, 175.)

"The Lord, whose promises are large to his Sion, hath blest his people's provision, and satisfied her poor with bread, in a very little space. Everything in the country proved a staple commodity, wheat, rye, oats, pease, barley, beef, pork, fish, butter, cheese, timber, mast, tar, sope, plank-board frames of houses, clabboard, and pipe-staves. Iron and lead is like to be also. And those who were formerly forced to fetch most of the bread they eat, and beer they drink, a hundred [thousand] leagues by sea, are, through the blessing of the Lord,

The Confederacy of the Four Colonies was an humble, but a substantial, power in the world. It was known to be such by its French, Dutch, and savage neighbors; by

so increased, that they have not only fed their elder sisters, Virginia, Barbadoes, and many of the Summer Islands, that were preferred before her for fruitfulness, but also the grandmother of us all, even the fertile isle of Great Britain. Beside, Portugal hath had many a mouthful of bread and fish from us, in exchange of their Madeara liquor, and also Spain. . . . . .

"Besides lesser vessels, barques, and ketches, many a master, beside common seamen, had their first learning in this Colony, Boston, Charlestown, Salem, and Ipswitch; our maritan towns began to encrease roundly. . . . . .

"Nor hath this Colony alone been actors in this trade of venturing by sea, but New Haven also, who were many of them well experienced in traffique, and had good estates to mannage it. *Canectico* did not linger behind, but put forth to sea with the other. . . . . .

"Thus hath the Lord been pleased to turn one of the most hideous, boundless, and unknown wildernesses in the world in an instant, as 't were (in comparison of other work), to a well-ordered commonwealth, and all to serve his churches." (Ibid., 208 – 210.)

I think there can be no doubt that Johnson is describing the state of things at and soon after Winthrop's death. He speaks (191) of "Major Edward Gibbons, who hath now the office of Major-General;" to which office Gibbons was elected in May, 1649. (Mass. Rec., III. 147.) And he records (215) the election, in 1650, of Dudley, to be Governor, and (216) the election of Endicott, which took place in 1651.

Johnson's book contains some descriptions of the towns, as they appeared at the time when he wrote: — Charlestown "hath a large market-place near the water-side, built round with houses comely and fair, forth of which there issues two streets orderly built with some very fair houses, beautified with pleasant gardens and orchards. The whole town consists, in its extent, of about a hundred and fifty dwelling-houses. Their meeting-house for Sabbath assembly stands in the market-place, very comely built and large. . . . . Their corn land in tillage in this town is about twelve hundred acres; their great cattle are about four hundred head; sheep near upon four hundred." (Ibid., 41.) — In Dorchester, the "houses for dwelling are about one hundred and forty; orchards and gardens full of fruit-trees; plenty of corn land; although much of it hath been long in tillage, yet hath it ordinarily good crops; the number of trees are near upon fifteen hundred; cows and other cattle of that kind about four hundred and fifty." (Ibid., 42.) — Roxbury is "filled with a very laborious people, whose labors the Lord hath so blest that, in the room of dismal swamps and tearing bushes, they have very goodly fruit-trees, fruitful fields and gardens; their herd of cows, oxen, and other young cattle of that kind, about three hundred and fifty, and dwelling-houses near upon a hundred and twenty. Their streets are large, and some fair houses." (Ibid., 44.) — Cambridge "is compact closely within itself, till of late years some few straggling houses have been built. . . . . It hath well-ordered streets and comely completed with the fair building of *Harver* College." (61.) — But Boston is "the centre town and metropolis of this wilderness work, ... having two hills on the frontice part thereof next the sea; the one well fortified on the superfices thereof, with

the alienated communities on Narragansett Bay; and by the rulers of the mother country.[1]

During Winthrop's last ten years, nowhere else in the world had Englishmen been so happy as under the generous government which his mind inspired and regulated. What one life could do for a community's well-being, his had done. The prosecution of the issues he had wrought for was now to be committed to the wisdom and courage of a younger generation, and to the course of events under the continued guidance of a propitious Providence.

store of great artillery well mounted; the other hath a very strong battery built of whole timber, and filled with earth, at the descent of the hill, in the extreme poynt thereof; betwixt these two strong armes lies a large cove or bay, on which the chiefest part of this town is built, overtopped with a third hill. All three like over-topping towers keepe a constant watch to foresee the approach of forrein dangers, being furnished with a beacon and loud-babbling guns, to give notice by their redoubled eccho to all their sister-towns. The chief edifice of this city-like towne is crowded on the sea-bankes, and wharfed out with great industry and cost, the buildings beautifull and large, some fairly set forth with brick, tile, stone, and slate, and orderly placed with comely streets, whose continuall enlargement presages some sumptuous city. . . . . Behold the admirable acts of Christ. At this his people's landing, the hideous thickets in this place were such, that wolves and bears nurst up their young from the eyes of all beholders, in those very places where the streets are full of girles and boys sporting up and downe, with a continued concourse of people. . . . . This town is the very mark of the land. French, Portugalls, and Dutch come hither for traffic." (Ibid., 42, 43.)

In 1659, when Ferdinando Gorges, grandson of Sir Ferdinando, was hoping to recover his American property, he published his "America painted to the Life." A considerable part of it is but an abridgment from Johnson's book. (Comp. the passages just quoted with Gorges, 28 – 30.)

[1] The population of Massachusetts was now nearly twice as great as the aggregate population of the other confederated Colonies. The basis of assessment being a numerical one, Massachusetts, in 1647, was assessed £ 670. 3. 4, Plymouth, £ 128. 13. 4, Connecticut £ 140. 2. 5, and New Haven £ 104. 11. (Records, &c., in Hazard, II. 95.)

CHAPTER VII.

Winthrop died before tidings of the great tragedy that had been enacted in England could reach his ears. From the time of the execution of the King to the end of his own life, Oliver Cromwell, the head of the Independents, was the ruler of England; at first, by his controlling influence with the governing powers, and, later, as acknowledged monarch.

By a vote of Parliament, or rather of the small fraction of the House of Commons elected nine years before, which called itself by that name,[1] — the executive power was intrusted to a *Council of State*, consisting of forty-one persons, of whom six were noblemen, and most of the others were members of the House.

Parliamentary Council of State. 1649. Feb. 15.

The reduction of Ireland was the business most urgently demanding the attention of the new government. The Marquis of Ormond, acting there for the King, had concluded an agreement with the Irish Catholics, by which they engaged to contribute ten thousand men for the restoration of the royal authority in England. The Pope's Nuncio interfered; the engagement was broken; and Ormond, not only deserted but threatened by his recent allies, found himself obliged to surrender Dublin and other garrisons to Colonel Jones, who commanded for the Parliament. The tide, however, soon turned. The arrogance of the Nuncio occasioned disgust;

War in Ireland.

[1] When the Long Parliament met in November, 1640, the House of Commons consisted of 506 members. It was now reduced to about 100. In February, 1649, the largest number that appeared at a division was 77, and the smallest was 46. (Journal of the Commons, VI. 132, 128.)

every other uneasiness was sunk in fear of the Puritans; Ormond found himself at the head of an army of sixteen thousand men, and again in possession of most of the strong places which he had recently yielded; and he prepared to lay siege to the city of Dublin, in which the officer commanding for the Parliament had concentrated his forces.

It was determined at Westminster to send twelve thousand men to the relief of the capital of Ireland. The Presbyterians would have intrusted Waller with the command of the expedition. Lambert was at first mentioned in the Council, as the candidate of the Independents. But, unexpectedly to most persons, Cromwell was nominated, at a session from which he was absent; and Parliament readily acquiesced, — some of its members from a disposition to advance him, others from a desire to remove him from the political scene. With two officers of each regiment he offered prayers for the Divine guidance, and then undertook the service, Ireton, his son-in-law, being appointed his second in command. His dilatory preparations for departure, so foreign from his well-known habits, led to a suspicion of his entertaining designs that disinclined him to withdraw himself from the centre of intrigues. But the course of events permitted no longer indecision. Ormond invested Dublin, which, alone of all the towns of Ireland, except Londonderry, was now held for the Commons. And though Colonel Jones, in a successful sally, broke up the lines of the besiegers, and compelled them to withdraw, his situation was still critical, in the face of a greatly superior force.

Appointment of Cromwell to command in Ireland. March.

Cromwell crossed the Channel to Dublin, whence, having given sixteen days to rest and preparations, he marched with ten thousand men to lay siege to Drogheda, which town Ormond, on retiring from before Dublin, had garrisoned with three thousand men. Cromwell took it by storm, and put its defenders to

Sack of Drogheda. Sept. 11.

the sword.[1] Wexford, a month later, made a similar resistance, and underwent the same horrible fate. Cromwell professed that his seeming barbarity was real mercy; and he thought that the event justified his course, when other garrisons, intimidated by it, abstained from resistance, and were admitted to capitulation on indulgent terms. Combining discretion with valor, he published a permission to royalist soldiers in Ireland to depart without molestation; and twenty-five thousand Irish took service in the armies of Spain, and twenty thousand in those of France. Devolving his command on Ireton, he returned to England after nine months' absence, having well-nigh completed the conquest of the sister island. His star was high in the ascendant.

Sack of Wexford. Oct. 11.

1650. May.

A yet more important business was awaiting him. A war with Scotland was impending. Immediately on the reception of intelligence of the execution of Charles the First, his eldest son had by the Scottish Parliament been proclaimed King of Scotland, England, France, and Ireland, on the condition that, before assuming the government, he should subscribe the Solemn League and Covenant. This he consented to do, after a long delay, and when the utter discomfiture of the Marquis of Montrose, his lieutenant in Scotland, seemed to leave him no other alternative. With a small squadron, furnished by his brother-in-law, the Prince of Orange, he crossed from Brabant to the kingdom of his ancestors, and placed himself in the hands of the Covenanters. They removed from about his person most of the companions of his

Proclamation of King Charles the Second. 1649. Feb. 5.

1650. May 13.

[1] "In the heat of action, I forbade our men to spare any that were in arms in the town, and I think that night they put to the sword about two thousand men. ..... I am persuaded that this is a righteous judgment of God upon these barbarous wretches, who have imbrued their hands in so much innocent blood, and that it will tend to prevent the effusion of blood for the future; — which are the satisfactory grounds to such actions, which otherwise cannot but work remorse and regret." (Cromwell's Letter to Speaker Lenthall, in Whitelocke, 424.) — The number of slain specified by him in a postscript amounts to nearly three thousand.

exile; wearied him with the long sermons of their ministers; extorted from him a declaration, in which he was made to condemn the proceedings of his father, and bewail his own delusions; and, by daily annoyances and mortifications, made him pay dear for his faint prospect of a throne. But he had made up his mind to be submissive till times should alter; and it remained for his new friends to attempt the performance of their part of the engagement.

Accordingly they raised an army of thirty thousand men, which they intrusted to the conduct of the Earl of Leven, with his kinsman, David Leslie, for his lieutenant. It was time for England to move. Cromwell, just arrived from Ireland, was appointed to be second in command of an army, raised for service in the North, of which Fairfax was made commander-in-chief. Fairfax had floated on the sweeping current of events as far as his scruples would allow. Though placed at the head of the High Court for the trial of the King, he had appeared at only one session of that tribunal; and he could not now prevail upon himself to serve against loyal Scotch Presbyterians, so long as they kept themselves within their own border. A deputation from the Council, consisting of Cromwell, Lambert, Harrison, Whitelocke, and St. John, reasoned with him, and the three military messengers prayed with him, without effect. He said that, under existing circumstances, he could not direct an invasion of Scotland, without violating his oath to support the Solemn League and Covenant.[1] He surrendered his commission, and retired to private life; and the command-in-chief of the forces was conferred upon Cromwell.

June 14.

Appointment of Cromwell to command in Scotland.

June 26.

With accustomed promptness he led a perfectly disciplined force of sixteen thousand men to the North,

[1] Whitelocke (Memorials, 460–462) records minutely the conversation that took place. Comp. Ludlow (Memoirs, 121, 122), who "really thought the Lieutenant-General in earnest," — he "acted his part so to the life."

where Leslie had made ready for his reception by dispersing the inhabitants, and causing all sorts of stores and supplies to be conveyed to a distance from the border. Cromwell advanced almost as far as Edinburgh, where his wary antagonists were securely posted. After fruitlessly endeavoring for several weeks to provoke them to an engagement, he found himself compelled, by want of provisions and by sickness spreading among his troops, to retreat. He was cautiously followed by the Scots as far as Dunbar, whence he was preparing to take the painful step of withdrawing his troops by sea, when an unexpected revolution of affairs took place. The tactics of the skilful Scottish commander were defeated by the impatience of the devotees in his camp. They cried out against his inaction, and said that God had given them assurance of an answer of peace to their prayers for victory. Overcome by these importunities, or disabled by the faction which they bred, he consented to abandon the advantage of his position, and meet the hazard of a battle.[1] After prayers with some of their fellow-officers, Cromwell and Lambert had ridden out to watch the dispositions of the enemy, when to their gratified surprise they saw a movement of cavalry and artillery from the heights, which they had occupied, towards the plain; Monk came up, and agreed with them that now was the accepted time; and all things were arranged for an attack the next morning.

July.

At first a thick fog, after a stormy night, gave the Scots the advantage. They beat back the republican cavalry, and continued to maintain an obstinate contest. At seven o'clock, as Cromwell's own regiment of foot was moving towards the field,

Battle of Dunbar. Sept. 3.

[1] Such is Burnet's account. (History of his own Time, I. 53, 54.) Mr. Carlyle does not like it, and calls it (Cromwell's Letters and Speeches, I. 463) "a vague story, due to Bishop Burnet, the watery source of many such." But Burnet was nephew of Johnstone of Waristoun, and had access to the best information respecting what had passed in the Scottish camp.

a bright sun broke through the mist. "Let God arise," said the exulting leader, "and let his enemies be scattered." Steady as a flood-tide, the excited soldiers, singing the hundred and seventeenth Psalm, poured on to the charge. Superiority of numbers was of no avail against such an onset. At nine o'clock, the English had slain three thousand of the enemy, and taken ten thousand prisoners, with all the artillery and equipage, and two hundred standards. The remnant of the Scots retreated westward to Stirling, and within a week Cromwell was in Edinburgh.

The young king took advantage of the confusion of the time to escape from his disagreeable friends, with a view to placing himself in the hands of some loyalists in the Highlands, whose tastes better suited with his own. But a party immediately pursued him, and by entreaties, which, it was manifest, might easily be changed to compulsion, he was prevailed upon to return to the army. The obvious expediency of a course suitable to combine the various interests concurred with this evidence of his discontent, to secure him more respectful treatment for the future. The moderate Presbyterians, whose chief was the Duke of Hamilton, recovered no little of their influence. The party of the Earl of Argyll, which had been in the ascendant, abated something of its rigor; and, in a great assembly of the peers and people, that nobleman placed the crown on the young prince's head at Scone, the ancient scene of the coronation of the monarchs of Scotland.

Coronation of King Charles the Second. 1651. Jan. 1.

After a winter passed at Edinburgh, not without successful endeavors to conciliate and to divide the Scots, Cromwell took the field against a new army which the Scottish rulers had enrolled. In the sequel of some indecisive operations, he succeeded in placing himself in the rear of that force, and besieged and took Perth, the new seat of government. The way southward being thus cleared, the young King adopted

Aug. 2.

the bold resolution of marching into the heart of England, and endeavoring to excite his friends there to a general insurrection. At the head of a force numbering, by different estimates, from eleven thousand to fourteen thousand men, he took the road from Stirling to Cumberland; and at the end of three weeks, meeting no opposition, but receiving no increase of strength, he had penetrated as far as Worcester.

His irruption into England. July 31. Aug. 22.

The Independents in England received with alarm the tidings of an invasion, which no preparations had been made to repel. When Cromwell heard of it, the Scots had by three days the start of him. Immediately he despatched two parties of three thousand men each, under Lambert and Harrison, in pursuit by different roads. Leaving five thousand men under Monk to secure Scotland, he then by forced marches led ten thousand troops southwardly, by the way of York. Lambert and Harrison overtook the King in Lancashire, but were unable to arrest his progress. Charles pushed on to Worcester, where he found himself in command of about twelve thousand soldiers. Cromwell conducted to the place a force more than twice as large; but the advantage afforded by the fortifications to the less numerous party caused the conflict which followed to be protracted and sanguinary. It ended as did other battles where Cromwell fought. The rout of the invading army was complete. It lost three thousand men killed, and six or seven thousand taken prisoners;[1] while, of the fugitives from the town, numbers, ignorant of the way to a place of safety, or betraying themselves by their northern dialect, fell into the hands of the exasperated country people. The King, after a succession of perilous adventures, effected his escape to the Continent; and the civil wars were at an end. The battle of Worcester, which Cromwell was used to call

Battle of Worcester. Sept. 3.

Oct. 16.

[1] Cromwell's Letter to Speaker Lenthall, in Carlyle, I. 553.

his "crowning mercy," took place on the anniversary of the fight at Dunbar. The date was to have yet another association with his history.[1]

The martial vigor of Puritan England was to be manifested on a different theatre. The Dutch republic, in the few years of its stormy existence, had become a great maritime power. Its merchants conducted a large part of the carrying trade of the world, and its navies had added to the renown which they first won in the des-

[1] Two hundred and seventy Scottish prisoners of Cromwell were sent, in 1652, to Boston, where descendants of some of them still dwell. They were cared for, in their poverty, by some countrymen of theirs, already established in that place. It is a noticeable fact, that so early as 1657 there were Scotsmen enough in Boston to institute the benevolent association called the *St. Andrew's Society*, which survives in activity and honor to this day.

At Dunbar and Worcester, Puritan met Puritan. Independents encountered and vanquished Presbyterians. This was a new experience for Cromwell, and, as may well be believed, a painful one. Four weeks after the battle of Worcester, he "took liberty from business to salute" John Cotton "in a word." Hutchinson published the letter in his Collection (236), and Mr. Carlyle has reprinted it. (Cromwell's Letters and Speeches, II. 9.) Cromwell, in a letter to Mr. Hooker, of New Haven, had mentioned Cotton, "with tender of loving and respectful salutations." This encouraged Cotton to write to the Lord General (July 28, 1651), informing him of the kindness which had been extended in Massachusetts to some of the Scottish prisoners taken at Dunbar, and justifying at some length the proceedings of his correspondent and of the army against the King and the Presbyterians. (Hutch. Coll., 233 – 235.)

What Cotton says of the prisoners throws light on the treatment of slaves in Massachusetts at the time, and on the meaning of the word when they were said to be "sold." (See above, p. 30, note 2.) "The Scots, whom God delivered into your hands at Dunbar, ... have not been sold for slaves to perpetual servitude, but for six or seven or eight years, as we do our own; and he that bought the most of them, I hear, buildeth houses for them, — for every four a house; — layeth some acres of ground thereto, which he giveth them as their own, requiring three days in the week to work for him, by turns, and four days for themselves; and promiseth, as soon as they can repay him the money he hath laid out for them, he will set them at liberty."

Replying to this letter, Cromwell wrote: "It was welcome to me, ... to see some of the same grounds of our actings stirring in you that does in us, to quiet us to our work and support us therein, which hath greatest difficulty in our engagement in Scotland, by reason we have had to do with some, who were, I verily think, godly, but through weakness and the subtilty of Sathan involved in interests against the Lord and his people. . . . . The Lord hath marvellously appeared even against them. . . . . I am a poor weak creature, and not worthy the name of a worm, yet accepted to serve the Lord and his people," &c.

perate contest with Spain. The Stadtholder, William of Orange, the second of that name, had married a daughter of the late King of England, and hence was naturally regarded as unfriendly to the cause of the Parliament. His death, when his heir was still an infant, placed his party at a great disadvantage in its rivalry with the Dutch republicans. The English Parliament desired an alliance with a Protestant state, at once so powerful, and organized, like itself, upon a popular basis; and the Chief Justice, Oliver St. John, was intrusted with a negotiation to that end. It proved unsuccessful. The States were too cautious to enter into engagements which might be so interpreted as to involve them in dangerous obligations. Perhaps they doubted the permanency of the existing order of things in England; perhaps they had not wholly recovered from the shock which the execution of the King had sent through Europe, or still resented the neglect of the remonstrance of their government against it, or shrank from the odium which had fallen on its promoters. The ambassador, a man suspicious of offence, and not ready to forgive, returned to England in disgust.

It has been thought probable that, aside from any ostensible grounds of dispute, different parties in the English government had now come to have their several reasons for promoting a rupture with the Dutch; the members of Parliament supposing that the exigencies of a war would demand the permanence of their authority; the army, that it would have to be still maintained; the Presbyterians, on the contrary, that the expenses of a naval conflict would require the land force to be diminished, and with it the authority of Cromwell; while the movers in public affairs, of whatever name, might naturally agree in a desire to turn the public attention from domestic disputes to another exciting object, and all alike might be stimulated by an ambition to sup-

Motives for a war with Holland.

ply the needy treasury of the new Commonwealth by spoils from the wide-spread commerce of a rich enemy, as well as to illustrate its name with the renown of maritime victories.

But for one measure of those which provoked the war with the Dutch, no cause needs to be assigned besides that of the far-reaching sagacity of the founders of the English Commonwealth. If England was to sustain herself as the great naval power which her old traditions, as well as her geographical position, enjoined her to be, she must be able to command numbers of experienced seamen. Her war marine must be supplied by her commercial marine, and a great force of English sailors must be raised up in time of peace; — an object which would be only partially attained, so long as foreign ships and seamen were permitted to do the errands of English trade.

Such is the sufficient account of that famous policy which England now embraced, in the passing of the first of her modern series of Navigation Acts.[1] It was entitled "An Act for Increase of Shipping and Encouragement of the Navigation of this Nation." It provided that "no goods should be imported from Asia, Africa, or America, but in English ships, ... nor from any part of Europe, except in such vessels as belonged to the people of that country of which the goods were the growth or manufacture; ..... that no goods of foreign growth or manufacture should be imported but from the ports where such goods could only be, or usually had been, first shipped for transportation; ..... that no salt-fish, whale-fins, or oil should be imported, but

English Navigation Act. Oct. 9.

[1] The law, however, had a pattern, nearly three centuries old. An Act of the fifth year of Richard the Second provided that, "to increase the navy of England, which is now greatly diminished, ... none of the King's liege people should from henceforth ship any merchandise in going out or coming within the realm of England, but only in ships of the King's liegance." (Statutes at Large, 165; comp. Anderson, Historical and Chronological Deduction, &c., I. 209.)

what were caught or made by the people of England, nor any salt-fish exported, or carried from one port to another in this nation, but in English vessels." The penalty of a breach of the law was forfeiture of vessel and cargo.[1]

It was unavoidable that this measure should be regarded by the Dutch as of an unfriendly character. On the other hand, English merchants complained of interruptions offered to them at sea by Dutch officers; the memory of an outrage committed upon English subjects in the Molucca Islands, in the reign of James the First, was revived; and the unpunished murder, by English royalists at the Hague, of one of the prosecutors of the late King, aroused a strong indignation against the government, which, failing to detect, was suspected of countenancing, the assassins. The Dutch were alarmed, and proposed to renew the negotiations for an alliance, while, to be prepared for the worst, they put in commission a large naval force. This proceeding affronted the pride of England, and clouded the prospect of reconciliation. The Dutch Admiral, Van Tromp, with a fleet of forty-two vessels, approached the roadstead of the English town of Dover, with no other purpose, as he afterwards alleged, than to obtain shelter from a storm. At Dover lay an English fleet of inferior strength, commanded by Robert Blake, the hero who as a commander by land had done brilliant service at Taunton[2] and elsewhere, and who was destined to win unsurpassed fame in the naval annals of his country. He was already fifty years old, when, on a new element, he began his magnificent career. England had long maintained a claim on foreign men-of-war to strike their topsails in the narrow seas in the presence of her own flag. According to

Conflict of Dutch and English fleets. 1652. May 18.

[1] Parliamentary History, III. 1374; Journal of the Commons, VII. 27; Anderson, Historical Deduction, &c., II. 86.

[2] Hepworth Dixon, Memoir of Robert Blake, 68 – 109. See above, p. 98.

Blake's subsequent account, the Dutch Admiral, when summoned by him, delayed to perform this obeisance. Van Tromp said that he was about to do it, when he was attacked. Whatever the truth was, a bloody conflict took place, in which Blake, reinforced during the action, had, on the whole, the superiority.

The urgent endeavors still made by the government of the United Provinces to restore a good understanding, were not met by a corresponding disposition on the other side. The war which followed was waged for a while with shifting success; and at one time Van Tromp sailed unobstructed up and down the Channel, with a broom fastened to the mainmast of his flag-ship, in token of his sweeping the seas. But Cromwell was at the head of the affairs of England. Vane directed her naval administration. Blake, with Monk and Deane for subordinates, fought her battles at sea. The Puritan ports of England had an abundant supply of brave and skilful mariners. The Puritan people grudged no outlay for the security and glory of their new republic. The Dutch found that they had engaged in an unequal contest; and two years had not passed before they consented to terms of peace, which, under the circumstances, though distasteful to their pride, were not oppressive.

War with Holland. December.

Peace with Holland. 1654. April 5.

In respect to New England, one of the last proceedings of the war had a singular result. Cromwell sent three or four ships with a few troops to take possession of New Netherland. They were under the command of Robert Sedgwick[1]

[1] For Cromwell's instructions to this expedition, see Mass. Hist. Coll., XXXII. 230. — Robert Sedgwick was made a freeman of Massachusetts March 9, 1637. (Mass. Rec., I. 373.) He was at the same time chosen a Captain, and was a Deputy for Charlestown the same year (Ibid., 190, 191), and for many years afterwards. In 1641, he was "ordered to take care of the Castle" (Ibid., 332); and in 1644 he was associated with Gibbons in the trust of keeping Boston harbor sacred from naval disturbers. (See above, p. 225, note.) He was still in Massachusetts in 1652, at which time he held the office of Major-General. (Ibid., III. 277; comp. 258.) He soon after went

and John Leverett,[1] two persons lately come from Massachusetts, who were instructed to obtain a reinforcement in the Colonies. The vessels had a long passage, and news of the treaty of peace with Holland arrived soon after them. England had now no quarrel with France; but — authorized, without doubt, by secret instructions — Sedgwick and Leverett led their force, strengthened by recruits enlisted in New England, against the French settlements in Nova Scotia. La Tour, who, by marriage with his rival's widow, and by making his peace with the French court, had again obtained possession of the eastern posts, was in no condition to resist.[2] June 5. June 23.

to England, where Cromwell was not long in discovering his merit.

[1] Mr. Thomas Leverett took the freeman's oath, March 4, 1633 (Ibid., I. 368), and was chosen Ruling Elder of the Boston church in December of the same year. (Winthrop, I. 114.) John Leverett, his son, became a freeman March 3, 1635 (Mass. Rec., I. 371), and was a Captain as early as 1645. (Ibid., II. 123.) In 1651, 1652, and 1653, he was a Deputy for Boston. (Ibid., II. 220, 259, 297.) In 1653, or 1654, he went to England, where he had been before. (See above, 253, note 2.)

[2] See above, 200, note 4. — In 1650, after the death of his rival, La Tour returned to Acadie from his wanderings. Whatever were the means by which he was restored to the favor of the court, a commission was executed by Louis the Fourteenth, February 27, 1651, constituting him again "Governor and Lieutenant-General representing the King's person in all the countries, harbors, coasts, and confines of Acadie." It recites, that "for forty-two years" La Tour had "usefully devoted all his attention to attaching the savages of that country to the Christian faith," and that, in former attempts to render good service to the crown, by driving off "foreign religionists" (the New-England people), La Tour "had been thwarted by the late Charles de Menou d'Aulnay-Charnisé, who had abetted his enemies in charges and surmises which they had not been able to substantiate," and of which La Tour had been acquitted on the 16th day of the same month.

Nearly two years after this, he seems to have lost credit again. There is a royal decree, dated December, 1652, which relates to an encroachment of his upon the rights of property of "Dame Jeanne Motin" (the maiden name of D'Aulnay's widow, now La Tour's wife) and of her children. The instrument authorizes the Duke of Vendôme to protect their interests. I think that her marriage to La Tour was not yet known in France, and that the application on which the decree was founded was made by her friends there, in her behalf.

La Tour, restored to his former possessions, again laid him himself open to a charge of intriguing with the English; and one Le Borgne received from France some sort of authority to check his dangerous career. Le Borgne was about to attack him at St. John, when Sedgwick's fleet appeared. (Garneau,

Sedgwick attacked and took St. John; Port Royal surrendered without fighting;[1] and the whole country, from the Gulf of St. Lawrence to the Penobscot, was resumed into the hands of the English.[2] In fear of the powerful Protestant party about him, Cardinal Mazarin, at the head of the affairs of France, could not afford to quarrel with Cromwell. He chose rather to pass in silence the affront by which a disputed boundary was settled, than to make a remonstrance which could neither be retracted with dignity, nor insisted on without too much hazard.[3] Acadie, again erected into an English principality, with the revived name of *Nova Scotia*, was bestowed by Cromwell upon three proprietors: La Tour, who was always French or English according to circumstances, Thomas Temple, and William Crowne.[4] La Tour died soon after this

Conquest of Nova Scotia. Aug. 16.

Grant of Nova Scotia to La Tour, Temple, and Crowne. 1656. Aug. 9.

Histoire du Canada, I. 151, 152; comp. Hull's Diary, in Archæol. Amer., III. 174–176; Haliburton, Account of Nova Scotia, I. 60, 61.)

[1] The articles of capitulation were signed, August 16, 1654, by Sedgwick, for the English force, and by M. de la Verdure, for the French.

[2] William Hathorne accompanied the expedition, probably in a military command. (Hutch. Coll., 255.)

[3] The King, however, as late as January 30, 1658, in a letter to his ambassador at London, complained of an express refusal by Cromwell to surrender the country.

[4] See the grant, in a French translation, in Hazard, I. 616. — Colonel Thomas Temple was of the Buckinghamshire family of that name. His uncle, Sir Peter Temple, was, through his granddaughter Hester, who in 1710 married Richard Granville, the ancestor of the Dukes of Buckingham. (Burke, Peerage and Baronetage, 983.) Nathaniel Fiennes calls Colonel Thomas Temple "his near kinsman." (Hutchinson, I. 190.) The mother of Fiennes was Temple's great aunt. His father's brother, Sir Peter Temple, was a member of the Long Parliament, and was appointed one of the High Court of Justice for the trial of the King; but did not serve. Colonel Thomas Temple must have acquired his military title in the Parliament's service. He was probably the person repeatedly referred to in Whitelocke's Memorials as Captain, Major, and Colonel Temple (89, 107, 129, 165, 172, 236, 316, 357). He is called "Colonel" by Cromwell in the order to Leverett to deliver to him the forts of Acadie. (Mass. Hist. Coll., XXXII. 233.) He became *Sir* Thomas Temple as a Baronet of Nova Scotia.

Of William Crowne I know nothing with certainty before the time when he became one of the grantees of Nova Scotia. He was the father of John Crowne, afterwards a favorite dramatic poet of King Charles the Second. Chal-

transaction,[1] having first, however, sold his share to Temple.

Meanwhile the reins of government in England had been tightly gathered into the strong hand which had been more and more felt from the beginning of this marvellous revolution. The war being apparently ended by the victory at Worcester, the army clamored for a "settlement of the nation," and, as incident to it, a dissolution of the existing Parliament. Tenacious of their power, and jealous of the designs of the military men, the members of that body could be brought to no further concession than was expressed in a vote, that, at the end of three years, they would transfer their functions to a new Parliament, to be seasonably summoned. Having by this compromise obtained a reprieve, they proceeded to deliberate on a reduction of the military force. Partially they effected it; but when they were about to prosecute the plan further, a remonstrance of Cromwell in behalf of the soldiery interrupted their discussion. While the General consulted with his officers and with others on the proper form of a government to be ultimately established, Parliament was debating the qualifications of members, and of constituents, of the representative body which it was to call in to supersede itself. The troops, and the Independent party which was in sympathy with them, watched the proceedings with suspicion, conceiving that they discerned a purpose to intrust power to Presbyterian hands. On the day preceding that when it was expected that the question would be taken, Crom-

1651. Nov. 18.

Dec. 19.

1652. June.

1653. March.

mers (Biog. Dict., XI. 87, note) says that a William Crowne accompanied the Earl of Arundel to Vienna, and on his return published, in 1637, "a relation of his Lordship's travels;" and that, "after holding an office in the Herald's College, he went with his family to one of the plantations, and there died." In 1637, the grantee of Nova Scotia was only twenty years of age; for we have the record of his death in Massachusetts, "in 1667, aged 50." (Histor. and Geneal. Reg., VI. 249.)

[1] Williamson, History, &c., I. 362.

well and other officers held a meeting, at which they understood themselves to receive assurances that final action in Parliament should be still further delayed.

Expulsion of the Rump of the Long Parliament. April 20.

Early on the day after this meeting, they were again in consultation, when a messenger came to them with intelligence that the obnoxious bill was rapidly passing through its last stages. Cromwell, in citizen's attire, immediately started for his place in the House, followed by a company of musketeers, which he commanded to await his orders in the lobby. Vane was speaking, in favor of the pending bill. When he ceased, Cromwell rose to reply. Warming as he went on, he turned to different members with vehement reproaches. As he ended his harangue, he stamped upon the floor, and, on the appearance of the soldiers, ordered them to clear the room. "Take away that bawble," he said to one soldier, pointing to the mace; another he ordered to see the door locked, and to follow him with the key. In the afternoon of the same day, attended only by Harrison and Lambert, he went to the meeting of the Council of State, and declared it dissolved; a sentence which it was evident was not to be withstood.

What had hitherto been kept together of that Parliament, which, thirteen years before, had begun the overt resistance to the despotism of Charles the First, was now no more, and there was no civil authority in England.[1] The chief soldier's truncheon was all that kept the peace. If he meant henceforward to govern with it, it was at all events prudent not to offend the pride of the governed by parading the nature of his sway. The parties which he had vanquished were disabled for effective hostility against him by hostilities among themselves; but some

[1] The day after the dissolution, the crowd about Westminster Hall was amused by a placard on the door of the House (probably placed there by some Cavalier in the night) with the words, "This House to be let unfurnished." (Guizot, History of Oliver Cromwell, I. 318.)

pretence of popular support is a desirable security for a newly-erected despotism. When a quiet interval of several weeks had afforded a hint that the country might survive the absence of other authority than what now existed, a warrant was issued for a national assembly, to consist of a hundred and twenty-eight representatives for England and Wales, six for Ireland, and five for Scotland. They were selected by Cromwell and twelve friends — eight of them officers[1] — whom he had taken to his confidence, and signalized by the title of the *Council of State*. The selection was made from a long list of persons, warranted, by the religious congregations to which they respectively belonged, to be "men fearing God, and of approved integrity." June 6.

The assembly thus constituted is known as the *Little Parliament*, or, more familiarly, by the name — adopted from one of its members — of *Barebone's Parliament*. It was addressed by Cromwell, on the first day of its session, in a long and rambling speech, in which he descanted upon his own proceedings, and what he esteemed the public exigencies, since the close of the war. The persons convened formally accepted their trust, to be retained for sixteen months, and to be then transferred to other representatives, of their own choice, who should remain in office only a year, and in that time should prescribe the forms of government for the future. And they instituted an executive authority, under the name of the *Council of State*, consisting of thirty-one members. The Little Parliament. July 4.

When this scheme proved an utter failure, it may be presumed that nothing took place but what Cromwell had distinctly calculated upon from the time of its first conception. The unanimity of the assembly was pres-

[1] The constitution of the Council as to number was decided upon, at the suggestion of Colonel Okey, with reference to Jesus and his Apostles. (Guizot, History, &c., II. 29.)

ently broken up on critical questions relating to a support of the clergy and a reform of the laws. The more conservative members took alarm; and, with the concurrence of Cromwell, concerted their measures for averting the threatened mischief. They came together in the House at an early hour; and, in the absence of several of those who, had they all been in their places, would have constituted an adverse majority, one of them made a motion, that "the continuance of Parliament, as now constituted, would not be for the good of the Commonwealth; and that, therefore, it was requisite that the House in a body should repair to the Lord General, to deliver back into his hands the power which they had received from him." The Speaker, who was in the plot, put a stop to debate, and, at the head of a minority of the members, proceeded, with the mace borne before him, to Whitehall, where, in the name of the Parliament, he resigned its power, according to the terms of the vote. Harrison and others, who remained and engaged in prayer, were forced out of the House by a party of soldiers; and again it was locked, and sentries were posted at the door.[1]

Its dissolution. Dec. 12.

England could not be without at least a head constable to keep order, and the course of events during several years had designated the one man able in present circumstances to perform that office. On the fourth day after the dissolution, the judicial dignitaries and the City magistrates, attended by a splendid cavalcade, and passing between two lines of soldiers, conducted Cromwell from his lodging to the Court of Chancery in Westminster Hall. Here Lambert, pro-

First Protectorate of Cromwell. Dec. 16.

[1] Colonel Goffe and Major White were the officers charged with this expulsion. White asked Harrison what he and his friends were about, and was answered that they were "seeking the Lord." "Then," said White, "you had better look somewhere else; for, to my certain knowledge, the Lord has not been hereabouts these twelve years." (Forster's Statesmen of the Commonwealth, II. 219, 220.)

fessing to speak in the name of the army and people of England, besought him to accept the dignity of Protector of the realm. The name and office of *Protector* were known in English history in connection with instances of the minority of a sovereign.[1] On this occasion an instrument was read, expressing, in Forty-two Articles, the duties and powers pertaining to the trust. Having taken an oath to observe it, Cromwell seated himself in a chair of state, and received the homage of the assembly. The ceremonies being finished, his accession to the government was proclaimed throughout the kingdom. A few months later, he left his lodging in the Cockpit, and took up his residence in the royal palace of Whitehall. 1654. April 14.

Many of those who, in the earlier steps of his advancement, had been his devoted and useful friends, were now estranged and outraged; and they were bold and able enough to find employment for all his circumspection. But the time had gone by, when they might hope to contend with him on something like equal terms. Numbers of capable aspirants looked to him as the fountain of honor, and labored in his service with cheerful fidelity. Numbers of devotees, in military or civil office, trusted in him as being earnestly desirous, and beyond any other man competent, to promote the cause of God and the general welfare. The success of the Dutch war added new lustre to his fame, and commanded that admiration for energetic conduct, and that reverence for good fortune, which, after a time, are sure to moderate the hostility of partisans. Property began to confide in him as its defender; and that fear of anarchy, which in disordered times abates the hatred of despotism, was ranging itself on his side. The arts of personal conciliation were

[1] The Duke of Bedford was Protector in the minority of Henry VI.; the Duke of Gloucester, in that of Edward V.; the Duke of Somerset, in that of Edward VI.

not wanting to his vast ability. The plotters who refused to be won, he knew how to entangle by artifice, or to lead on to a point where they could be struck down by a sure and sudden blow, which should at the same time be monitory to others like-minded. The sagacity with which he detected, and the energy with which he crushed, the conspiracies of royalists, invested him with new securities in the terror of enemies and the gratitude of friends.

The effervescence of the religious elements was an occasion of solicitude. He did something to compose it by a novel institution, which seemed to manifest at once his interest in a blameless and competent administration of the Gospel, and his freedom from bigoted attachment to the sect which individually he represented. He established a commission for ecclesiastical affairs, including Presbyterians and Anabaptists, as well as Independents.[1] The Commissioners, called *Triers*,

Institution of Triers. April.

[1] In Dr. Williams's Library is a letter from John Dury, dated February 22, 1654, in which he says that he has induced the Presbyterians and Independents to choose a committee of five members for each denomination (six of them to be a quorum) to produce articles of union between them; and he adds: "My Lord Protector is forward in the work, and this very day there is a meeting of ministers and of some from the Universities at his lodging in the Cock-pit."

Dury, a native of Scotland, was an enthusiast, who for years pursued with unwearied zeal a scheme for effecting a union of all the Protestant churches. To that end he travelled over Europe, and conducted an immense correspondence. Another letter from him in Dr. Williams's Library, addressed to Richard Baxter, with the date of "Westminster, St. James House, this 24th May, 1658," accompanied copies of thirteen printed documents relating to his scheme, — three of them in English, the rest in Latin. I have the titles, but they have now no special interest.

About the same time, Dury "wrote a letter to his brethren in New England to know their sentiments concerning such a pacification." (Mather, Apology for the Liberties of the Churches in New England, 151.) A friendly reply to it, in Latin, by John Norton, was signed by forty ministers of churches in Massachusetts, and by the President and Fellows of the College. A translation of it was appended by Norton to his Election Sermon, preached in 1661, and was reprinted by Samuel Mather. (Ibid., 152.) An answer of similar import was made by the ministers of Connecticut.

Dury was excited, like others (see above, pp. 191, 192), by the idea that the American Indians were a remnant of

had authority "to examine, judge, and approve all such persons as should be called to preach the Gospel," to inquire into the characters of incumbents of livings, and to displace such as were scandalous. Their power may have been sometimes indiscreetly or harshly exercised; but the liberal basis on which the commission was constituted was itself an authoritative lesson of toleration, and no fault is to be found with what was delivered to the *Triers* as the standard of their judgment. They were only charged to obtain satisfaction, that a candidate for the sacred office was a person, "for the grace of God in him, his holy and unblamable conversation, and also for his knowledge and utterance, able and fit to preach the Gospel."[1]

It was no part of Cromwell's policy to offend unnecessarily the pride of Englishmen, and hazard the reality of power by an ostentation of concentrating it in his person. A "settlement of the nation" had been all along the professed purpose of the movements which had brought about his own elevation; and, as yet, it was not pretended in any quarter that the nation was to be permanently settled without some system of popular representation. The Constitution (in the Forty-two Articles), which, in assuming the office of Protector, Cromwell had sworn to

the ten captive captive tribes of Israel. That belief is expressed in the Appendix to the "Glorious Progress," &c., (22 – 24). This portion of the book is signed "J. D." (28), and was, I suppose, written by Dury. To the "Jews in America," &c., of Thomas Thorowgood, is prefixed "An Epistolary Discourse of Mr. John Dury to Mr. Thorowgood, concerning his Conjecture that the Americans are descended from the Israelites." It is dated, "St. James, 29 January, 1649 – 50." — Boyle patronized him. (Works of the Honorable Robert Boyle, I. 89.)

[1] "I shall speak the truth of them," says Baxter, "and suppose my word will be the rather taken, because most of them took me for one of their boldest adversaries, as to their opinions, and because I was known to disown their power. . . . . To give them their due, they did abundance of good to the Church. They saved many a congregation from ignorant, ungodly, drunken teachers. . . . . Many thousands of souls blest God for the faithful ministers whom they let in, and grieved when the prelatists afterwards cast them out again." (Reliquiæ Baxterianæ, 72.)

observe, required him to summon a Parliament at an early day; and so controlling were his position and his popularity, that now, if at any time, it seemed that the step might be safely taken. Agreeably to the provision in the Articles, the Protector issued writs for a House to consist of four hundred and sixty members; — two hundred and fifty-one for the counties, and a hundred and forty-nine for the cities and boroughs, of England and Wales, with thirty for Scotland and thirty for Ireland. The constituent body of voters was to consist of all holders of property to the amount of not less than two hundred pounds. The representatives were to be upright men, fearing God, and at least twenty-one years of age. The scheme of a Parliament was almost identically the same as the *Rump* of the Long Parliament had been about to prescribe at the time of its expulsion.

And the result of the experiment was now what had been then anticipated. Cromwell and his friends could not have their way. The Parliament met on the appointed day, the day that revived the memory of his two great victories over the Scots. It was Sunday, and the Protector gave them only a formal reception at his palace, after sermon. The next day he went to Westminster Hall in regal state, and addressed them in one of his characteristic speeches. The reader of it at the present day easily forgives them, if they did not understand all of his meaning; but many of them well understood their own. They plunged immediately into a consideration of the frame of government, and on the third day decided, by a small majority, that at their next meeting they would take up the question, "whether the House shall approve of the system of government by a single person and a Parliament." The debate lasted two days, between which a Sunday intervened; and the Protector's party seemed to be losing ground. On the morning when the discussion was to

Cromwell's Second Parliament. Sept. 3.

have been resumed, three regiments were found to be disposed in the approaches to Westminster Hall, and the members, as they arrived, were directed to attend the Protector in the Painted Chamber. He required them to subscribe a paper acknowledging his authority. About three hundred set their names to it, and the rest were excluded from their seats. Sept. 12.

Even with this mutilation, the House was not found sufficiently submissive. By a vote of two hundred against eighty, it refused to declare the office of Protector hereditary; and, if it did not again concert active opposition to the sovereign's authority, it defeated his wishes by neglect and delay. A bill, comprehending some minor amendments of the actual frame of government, was on the point of being passed, when he summoned the members to his presence, and with reproachful language abruptly dissolved their assembly. The Articles secured them a session of five months, and twelve days of that time were still wanting, if the reckoning were made by calendar months. But Cromwell professed to understand that lunar months had been intended. Oct. 13. Its dissolution. 1655. Jan. 22.

Two insurrections presently followed. One, concerted by republicans, was early discovered, and defeated without bloodshed. The vigor with which the Protector suppressed and punished the other, known as the *conspiracy of Penruddock* from the name of the principal person among the royalists engaged in it, strengthened the conviction of his invincibility. Insurrections. February.

The next step was the formal organization of a military government in detail. All England was divided, first into ten, then into twelve districts, each occupied by troops commanded by a Major-General. Originally the professed object of this arrangement was a financial one. To replenish the exhausted treasury, persons who had borne arms for the England divided into military districts.

King, or had otherwise favored his cause, were doomed to a fine of one tenth of their estates; which fine the Major-Generals were to collect. But these officers were further intrusted with a large discretionary power, extending to whatever matters they might regard as relating to the public quiet.[1]

Another capital movement of this time has been thought to have been dictated by the necessities of an empty treasury.[2] Spain had no feud with England, and had already too many quarrels on her hands to be willing to provoke a new one. She had even been the first foreign power to recognize the English republic. But her commerce was rich; her navy was not strong; her name,

[1] It was in this year that William Aspinwall republished in London the work by Cotton, which had been issued from the press there fourteen years before, under the title of "An Abstract of the Laws of New England, as they are now established." (See above, p. 25, note.) The republication of this work probably was connected with a scheme, which was favored at this time by not a few men of consequence in England, for superseding the existing system of English law by a code founded on the law of Moses. The library of the American Antiquarian Society has a copy of a treatise on this subject, in a hundred and fifty closely-printed quarto pages. A reference to "the Lord Protector" (p. 16) fixes its date as late as the year 1653. The title-page is wanting, as are eight pages of the body of the work, including the first two chapters. The title of the third chapter is, "That the Law of England, as now it is in use, is a departure from the law of God, and a taking of a law from heathens and idolaters." The work contains an elaborate survey, analytical and historical, of the whole field of English law. Whatever else the author was, and whoever he was, he was a richly furnished general scholar, as well as largely read in jurisprudence and theology. He makes no allusion to Cotton's book, and, as far as appears, was not particularly acquainted with New England; though, in a marginal note, he refers to the practice there in respect to marriages and funerals, and quotes Lechford as his authority. The "Corollary, or Conclusion," is identical with the primitive theory approved by Eaton and Davenport at New Haven. It is, "that the written word of God, contained in the Old and New Testaments, manifesting the mind of God, ... with necessary consequences from the word, are sufficient to overrule all cases, instruct all Magistrates and Judges, and to teach all duties towards God and man; and that there need no other laws, but what are founded upon this ground, and built upon the same foundation." (p. 145.)

[2] "To be able, with the help of Spanish gold, to carry on his design in England, without depending upon a Parliament for money, is thought was the true motive of his attempt upon St. Domingo." (Welwood, Memoir of Transactions in England, &c., 116.)

since the time of Philip the Second, had been odious in England; she had made it more so by denying Cromwell's request for a relaxation of the severities of the Holy Office; and, with a warlike people, foreign hostilities are a recognized safety-valve for internal ferments. Cromwell despatched Admiral Penn to the West Indies, with a fleet of thirty vessels. It conveyed troops under the command of General Venables;[1] and Edward Winslow, formerly the Governor of Plymouth in New England, was associated with the General and Admiral in the conduct of the expedition.

The Spanish court had secret intelligence of the destination of this fleet, and its colonies in the Antilles were not taken wholly by surprise. Nine thousand seven hundred English soldiers were landed on the island of Saint Domingo,[2] and were there disastrously defeated. An attempt was next made upon Jamaica, with different success. That island surrendered without resistance, and has ever since been an appurtenance of England. Worn out with the excitements and the disappointment of the enterprise, Winslow sickened and died, too soon to take possession of the soil, on which, in one glorious future day, the great country he was serving was to release four hundred thousand bondmen.[3]

Defeat at Saint Domingo. April 25.

Conquest of Jamaica. May 10.

May 3.

[1] Cromwell's commission to Venables (December 4, 1654) is in Hazard (I. 592–594.)

[2] "Brief and Perfect Journal of the Late Proceedings and Success of the English Army in the West Indies," 16. Only three thousand men, however, had come from England. The rest were recruited in the islands. (Ibid., 9.)

[3] "About the 25 of 4th month [June], 1655, they sent three ships for provision to New England (and left twelve of the best ships at Jamaica, and the rest returned back for England); which ships here safely arrived, and were supplied fully with what they came for, and returned laden to Jamaica." (Hull's Diary, in Archæolog. Amer., III. 177.) — Venables and Penn, on their return to England, were committed to the Tower, and Sedgwick, the conqueror of Acadie, having now been promoted by Cromwell to be a Major-General, was sent to Jamaica, where he died, Governor of the island, June 24, 1656 (Thurloe, Collection, &c., IV. 4, 12, 40, 151, 158, 454, 600, 748, 751, V. 12, 48, 96, 138, 154); — "a

The war with Spain, instead of relieving the English exchequer, had laden it with a heavy burden. Other circumstances rendered the war unpopular. It had broken up a profitable commerce, and occasioned the capture of great numbers of English ships. Many, with Puritan conscientiousness, murmured against it as unprovoked and unjust; and several officers, on this plea, threw up their commissions.[1] The discontent enhanced the difficulty of increasing the weight of unauthorized taxation, and made it appear the part of prudence to obtain authority from the representatives of the people for raising money; and the security of the government had been now so far confirmed by prescription and by the growing power and reputation of the Protector, as to promise that a popular assembly would, on another experiment, prove more tractable.

A third Parliament was summoned. The elections took
1656. July 10. place amidst strong excitement. The Major-Generals did their best to obtain votes for candidates friendly to their master. Numerous agents travelled through the country, preaching the duty of giving him a strenuous support. On the other hand, the Republicans, with Vane at their head, were not idle in plying the public mind with the tongue and the pen. The pulpit did vigorous service on both sides. The returns
Cromwell's Third Parliament. showed a wide-spread dislike to the existing administration. But it obtained a majority, which
Sept. 17. was made irresistible, when more than a hundred members, obnoxious to Cromwell's displeasure, were

very brave, zealous, and pious man, whose letters in Thurloe are of all others the best worth reading on this subject." (Carlyle, Cromwell, II. 198.)

[1] "Divers conscientious men, who preferred the service of God before that of men, and treasure in heaven beyond riches and honor on earth, scrupled the design and deserted the service." (Brief and Perfect Journal, &c., 3.) — "Individuals, they maintained, in resigning to the public their natural liberty, could bestow on it only what they themselves were possessed of, a right of performing lawful actions, and could invest it with no authority of commanding what is contrary to the decrees of Heaven." (Hume, Chap. LXI.)

turned away by his soldiers from the hall where the Parliament met.

In his opening speech, he justified the war with Spain as matter of religious duty, and asked for liberal grants of money. He enlarged on the double danger to which England was exposed from the plots of loyalists and of levellers, and hence inferred the necessity of strengthening the existing government. He defended the system of military districts; but it is probable that this was only for the show of consistency, and that he had become dissatisfied with it, from fear both of the power which it conferred upon the Generals, and the irritation which it caused among the people. At all events, when a bill was reported in Parliament for its support, his son-in-law, Claypoole, opposed the measure; and when the Protector readily acquiesced in its defeat, the gracefulness of the concession gave him new favor with the people, if it awakened some displeasure in the circle of his chief military adherents.[1] 1657. Jan. 29.

For the present the Protector had nothing to complain of at the hands of the national council. They not only granted him large supplies, but, in the sequel of a series of deliberations and intrigues, which history cannot follow with any confidence, they adopted, by one hundred and twenty-three votes against sixty-two, an "Humble Petition and Advice," entreating him "to assume the name, style, title, dignity, and office of King of England, Scotland, and Ireland, and the respective dominions and territories thereunto belonging." Cromwell's election to be King. March 27.

[1] At this time, if the identity of the name may be trusted, our old acquaintance, Sir Christopher Gardiner, (see Vol. I. 329,) turns up again. In the Fairfax Correspondence (IV. 138) is a letter dated "Calais, December 13, 1656," and signed by "Chr. Gardiner" and "R. Thomas." They call themselves "a couple of Americans." They had just come from England, where, it seems, they had been in quest of intelligence for the benefit of the exiled prince.

March 31. Four days after this transaction, in the hall through which, a little more than eight years before, King Charles had been led to his death, the Protector received the Parliament which came to offer him the crown. He put them off with the reply, that "the thing deserved the utmost deliberation and consideration on his part." A deputation of a hundred officers had been with him, to assure him that the scheme for his assumption of royalty "was not pleasing to the army, and was matter of scandal to the people of God, and of great rejoicing to the enemy, and that it was also hazardous to his own person, and of great danger to the three nations."

Remonstrance of the officers. Feb. 27.

It was not safe to defy men so mighty alike in the Scriptures and in arms. There was no choice except between yielding to them and gaining them; and the latter expedient proved impracticable. While a series of conferences took place between the Protector and the Parliament, the republicans began to stir; the pulpits began to thunder and lighten; and a party of troops had to be ordered out to suppress a little insurrection in London, headed by one Thomas Venner, a cooper, lately returned from Salem in New England.[1] The negotiation lingered, but the prospect of reconciling the military saints to the name of King did not brighten. A Remonstrance to the House, said to have been gotten up between the learned Owen, then Vice-Chancellor of the University of Cambridge, and Colonel Pride, who had expurgated the Long Parliament, is thought to have brought the transaction to a close. On the day when it was presented, Cromwell sent for the House, and gave them his de-

Insurrection of Venner. April 9.

Cromwell's refusal of the crown. May 7.

[1] Venner was made a freeman of Massachusetts in March, 1638 (Mass. Rec., I. 374), was a member of the Artillery Company in 1645 (Whitman, History of the Ancient and Honorable Artillery Company, 150), and was still in Massachusetts in 1651. (Mass. Rec., II. 250, III. 252.)

finitive answer; — "I cannot," he said, "undertake this government with the title of King."

The title was expunged; but in its other arrangements the form of government sketched in the "Humble Petition and Advice" was adopted. The Chief Magistrate, still called *Protector*, was invested with the same functions as had been exercised by the kings of England. The ancient institutions of the realm were revived, with some modifications, which it may be believed that Cromwell expected to find opportunity to revise and cancel. No provision was made for an hereditary transmission of the sovereignty; but the first monarch of the new dynasty was authorized to appoint his successor. Beside the Commons in Parliament, there was to be an "other House," which it was not thought prudent, as yet, to denominate a *House of Lords*. Its members were to be nominated by the Protector, but subject to confirmation or rejection first by the House of Commons, and then, if its decision was favorable, by the "other House," after it was formed. A yearly revenue was granted to the sovereign of 1,300,000 pounds sterling, with an addition of 600,000 pounds annually for three years. He was inaugurated with all the pomp of a coronation, except the wearing of a crown; and the Commons separated for six months.

Partial revival of the institutions of the monarchy.

June 26.

When they came together again, it was, if the Protector's plan were carried out, to legislate in concurrence with the "other House." To this sixty-two persons had been summoned. Some were persons of birth and property, and there were several lawyers and military officers. The Protector's sons, Richard and Henry, had seats. Of the ancient peerage, the Earls of Mulgrave, Warwick, and Manchester, Viscount Say and Sele (the old friend of New England), Lord Wharton, Lord Eure, and Lord Falconberg (husband of one of Cromwell's

1658. Jan. 20.

daughters), had received writs; but only the two last named took their places.

The control of Cromwell over the Commons had been fatally weakened by the promotion of several of his most considerable friends to the "other House." The new Constitution had also declared the Commons' House to be the judge of the qualifications of its own members; and by virtue of this provision, the members who had been excluded by Cromwell from its former session reclaimed their places. The Commons debated whether the "other House," addressed by Cromwell in his opening speech as "Lords," had as yet any legal authority to sit as a separate estate of the realm. In Parliament, in the army, in the City, — everywhere, — there was a growing clamor for a restoration of the Commonwealth, with a government by a single representative assembly. The pay of the army was far in arrears; and the Pretender to the throne was gathering his friends in Flanders. But the Commons were deaf alike to the Protector's threats and entreaties, when he urged them for supplies, and would not so much as recognize his "other House," by answering its messages. From day to day his affairs went on from worse to worse. Keeping his counsel till the moment for executing it came, he suddenly dissolved the Parliament. The angry murmurs which broke out on all sides he silenced by a display of military force. Suspected officers were cashiered; other suspected persons were imprisoned or held to bail; conventicles were watched; and patrols of horse and foot prevented gatherings in the streets.

Contumacy of the Parliament.

Its dissolution. Feb. 4.

Cromwell had never before been in the possession of power so extensive and so absolute as now. But he had never been so endangered and so afflicted. The public treasury was empty, and the public expenses were enormous. He was beset by a resolute hostility, which was

ready to assume an organized and active form as soon as he should resort to the only legitimate method for obtaining pecuniary relief; while, on the other hand, no man knew better that an unpaid army is an unsafe dependence. A pamphlet, entitled "Killing no Murder," was widely circulated. It was said to have been written by his old friend, Colonel Titus,[1] and its doctrine was what its fierce title indicates. In the Protector's family there was estrangement and dissension. Some of them were republicans, and others were believed to favor the royal cause. His favorite daughter died, watched by him in her decline with an assiduity, which showed that from the torment of public cares a healthy, though bitter, domestic sorrow was a genuine relief. He was already ill with intermittent fever. The physicians used their best skill, and the congregations redoubled their prayers; but steadily his condition became more alarming, and in less than a month from the first access of his disease he expired. The day of his death was the anniversary of the day of his last two great victories.

Aug. 9.

Death of Oliver Cromwell. Sept. 3.

[1] The authorship, however, is doubtful. Titus claimed it after the Restoration. But Godwin (History of the Commonwealth, IV. 390), and, after him, Guizot (History of Oliver Cromwell, II. 299), attribute the work to Colonel Sexby. It is written with a ferocious power of thought and expression, which, even at this distant day, makes the reader shudder.

CHAPTER VIII.

In the last ten years of Oliver Cromwell's life, the rapid succession of important events in the mother country, and the confidence and favor with which the successful party there regarded the colonists of New England, conspired to prevent attempts to control the administration of the Confederacy; and it transacted its business without reference to any superior authority.

Relations to New France.

1632.

1636.

1635, 1639.

1640.

On the recovery by France of the American territory which had been conquered from her by England,[1] the region along the St. Lawrence became missionary ground. Champlain, who died four years after the French dominion was restored, was succeeded in the government by Montmagny, who was no less a devotee.[2] A Jesuit college and an Ursuline nunnery were established at Quebec.[3] The settlement of Montreal was inaugurated with the rites of the Roman Catholic religion.[4] A number of Recollet fathers and of Jesuits dispersed themselves among the Hurons on the north side of Lake Erie.[5] The Hurons and the Iroquois were constantly at war; but among the Iroquois also the missionaries flattered themselves that they sometimes made a convert.[6] The Abenaquis occupied a country which was French or English, according as the disputed boundary of *Acadie* might be defined.[7] In them was thought to have been found "a nation inferior to no other on the continent in cour-

[1] See Vol. I. 235, 337, 540.
[2] Charlevoix, I. 309.
[3] Ibid., 305, 320.
[4] Ibid., 353.
[5] Ibid., 282 *et seq.*
[6] Ibid., 326, 430.
[7] See Vol. I. 23; comp. 234, 337.

age, surpassing all others in mildness and docility," and capable of being made "an impregnable barrier for New France."

Some stragglers of the Abenaqui tribe had been in the habit of repairing to one of the French outposts, and after a while they went to Quebec, and asked for a visit from a missionary. "A people reputed brave, and which by its position might eventually afford important help, in case of a rupture with New England, was not an acquisition to be neglected; the messengers were very favorably received, and the Father Gabriel Druillettes returned with them." Notwithstanding the good accounts which had gone abroad respecting the tribe, he found them so lazy and shiftless as to be suffering from famine at the end of summer.[1]

The missionary Druillettes. 1646. August.

While Druillettes was recruiting allies, if not making proselytes, among these people, the Governor of New France was recalled, and Louis D'Ailleboust, previously commander of the post at Three Rivers, was appointed to succeed him. He had been two or three years in office, when the Iroquois, in large force, invaded the country of the Hurons, and almost exterminated that once powerful tribe, pursuing the fugitives to the very walls of Quebec.[2] Alarmed for his colony, D'Ailleboust conceived the hope of obtaining help from Massachusetts. Some communication had previously passed between Boston and Quebec, relating to a reciprocity of trading privileges,[3] and perhaps to some

1647.

1649.

[1] Charlevoix, I. 434, 435.

[2] Archæol. Amer., II. 71.

[3] Records of Commissioners, in Hazard, II. 181. — Gookin says (Historical Collections of the Indians, &c., in Mass. Hist. Coll., I. 161): "The French were much provoked and incensed against the Maquas [Mohawks]; but, wanting sufficient strength to deal with them, about the year 1646 and 1647, the French did, by their agent, M. Marie, a person of orders, and most probably a Jesuit, apply themselves with earnest solicitations unto the government of Massachusetts, for assistance to subdue the Maquas, offering great pay for such succor; but the English were not willing to engage themselves in that affair," &c. I suppose that Gookin, writing in 1674, confounded the appli-

regulation of traffic with the Indians. D'Ailleboust revived this intercourse by sending Druillettes "to treat with the Massachusetts and Plymouth Colonies about a league offensive and defensive." The proposal, it was hoped, would find the more favor on account of the relation sustained by Plymouth, through its colony upon the Kennebec, to the Abenaquis, who, it was alleged, were in danger of an invasion from the Mohawks.[1]

1650. October.

The messenger was told that nothing could be done till the next annual meeting of the Federal Commissioners. He came again in the following year, accompanied by a colleague, named John Godefroy, a member of the Council of New France. To the Commissioners, convened at New Haven, they represented that the war in

cation made by D'Ailleboust in 1650, in which it does not appear that Marie was employed, with the visits of Marie to Boston, in the service of D'Aulnay, in 1644 and 1646, in the former of which he had "proffered terms of peace and amity." (See above, 149, 201.)

Charlevoix says (II. 6, sub an. 1648): "A peu près dans le même tems que ceci se passait chez les Hurons, on vit arriver à Quebec, non sans quelque étonnement, un envoyé de la Nouvelle Angleterre, chargé de proposer une alliance éternelle entre les deux Colonies, indépendemment de toutes les ruptures qui pourraient survenir entre les deux couronnes. M. d'Ailleboust trouva la proposition avantageuse, et de l'avis de son Conseil députa à Boston le P. Druillettes en qualité de plénipotentiare, pour conclure et signer le traité; mais à condition que les Anglais se joindraient à nous pour faire la guerre aux Iroquois."

I presume that Charlevoix had been misinformed respecting the arrival of an envoy from New England at Quebec, and respecting the offer of a "perpetual alliance," or that he had made incorrect inferences from a letter of the French Council at Quebec to the New-England Commissioners, which he proceeds to quote, and which, with the exception of one other paper, also cited by him, he declares to be the only document which he had been able to discover relating to the business. As to an overture from New England, the letter says no more than that "il y a déjà quelques années, que messieurs de Baston nous ont proposé de lier le commerce entre la Nouvelle France et la Nouvelle Angleterre." The other paper, which is a record of the appointment of Druillettes and Godefroy (ibid., 10), refers only to advances for a commercial arrangement, made "by letters of the year 1647."

[1] The reader scarcely needs to be reminded that the Five Nations, otherwise known by the collective name of *Iroquois*, were the Senecas, Cayugas, Onondagas, Oneidas, and Mohawks. The Mohawks being nearest to the New-Englanders, the whole confederacy to which they belonged is constantly called by their name in the New-England documents.

which they desired military aid had been provoked by the perfidy and cruelty of the Mohawks; that the Abenaquis, who were now threatened with invasion, were Christian converts; and that an interruption of the trade with them would be a prejudice alike to English and French. They urged the New-England Colonies to "join in the war." But if that were refused, they requested "that the French might have liberty to take up volunteers in the English jurisdiction, and be furnished with victuals for that service; at least, that they might pass through the Colonies by water and land as occasion should require."

In a letter "to the Governor and Council of New France," the Commissioners declined all these proposals. They said that "the English engaged not in any war before they had full and satisfying evidence, that, in all respects and considerations, it was just, and before peace upon just terms had been offered and refused;" that the Mohawks had done them no harm, but, on the contrary, had "shown a real respect to them" during their quarrel with the Pequots; and that to permit the passage of a foreign force through their country would be to "expose both the Christian and other Indians, and some of the small English plantations, to danger." In these circumstances, they said, they must await "a fitter season" for a treaty of commerce, since the envoys had no authority to make it except in connection with an alliance.[1]

Refusal of aid to the French against the Mohawks. 1651. Sept. 6.

[1] Records, &c., in Hazard, II. 182–185; Hutch. Coll., 239–242; comp. Charlevoix, II. 6–11. "It was expecting too much," says Charlevoix, "from the English, to suppose that they would engage in a war with the Iroquois, when they were so distant from that confederacy as to be in no danger from it, and were engrossed by their agriculture and commerce."

A copy of a journal kept by Druillettes, during his first visit to Boston, has lately been discovered at Montreal among some papers belonging to the Jesuit Mission, and has been printed through the liberality of Mr. James Lenox, of New York. In September, 1650, Druillettes came from Quebec to Norridgewock, on the Kennebec, about thirty leagues from the mouth of that river, and half that distance above the highest Plymouth factory, at what is

Relations to New Netherland.

Meanwhile the dispute between the western Colonies and the New-Netherlanders seemed to have been brought to an amicable issue.[1] The hope of settling it by an agreement between the mother countries had been abandoned, in consequence of their estrangement from each other after the execution of King Charles. His fugitive sons were harbored by their brother-in-law, the Prince of Orange; Dorislaus, an envoy of the Parliament, was murdered at the Hague by some royalists, who escaped punishment; the Dutch ambassador was refused audience at London; and for the present the two nations were without diplomatic communication.[2]

now Augusta. (Narré du Voyage faict pour la Mission des Abnaquious, &c., 1, 2.) Still travelling by land to *Maremiten* (Merry-Meeting Bay), he there took to the water. On the 5th of December, he was off *Kepane* (Cape Ann), and in three days more reached Boston. Here he was received by "Major-General *Gebin*" (Gibbons), who carried his hospitality so far that, writes the journalist, "he gave me the key of an apartment in his house, where I might freely pray and go through the services of my religion; and he besought me to make his house my home while I continued at Boston."

Gibbons took him to wait upon Governor Dudley, at "a village called *Rogsbray* [Roxbury]." The Governor (though an old French soldier) had to employ an interpreter in mastering his letter of credence. (Ibid., 6–8.) Endicott, whom he visited the next month, was more accessible. "I went to Salem to speak to the Sieur *Indicott*, who speaks and understands French well, and is a good friend of the nation, and very desirous to have his children entertain this sentiment. Finding I had no money, he supplied me, and gave me an invitation to the Magistrates' table." (Ibid., 15.) At Plymouth, *John Brentford* (Governor Bradford) entertained him at a dinner of fish, in consideration of the day being Friday. Returning as far as Roxbury, he was there the guest of "Maistre Heliot [John Eliot]," who invited him to stay and pass the winter. (Ibid., 10, 11.)

Druillettes left Boston in a coasting vessel, January 5th, 1651, and in five weeks disembarked on the Kennebec, where "the English received him with every mark of affection." (Ibid., 14, 19.) He had come home with a conviction that Plymouth would zealously promote a war with the Iroquois for the safety of her Abenaqui *protégés*, and that Massachusetts would at least permit the enlistment of volunteers, as she had done in the case of La Tour. (Ibid., 20, 22.) As to the temper of Plymouth, he was especially in error. (Plym. Rec., II. 169.)

Some of his observations on the route are interesting, though they are not to be entirely relied upon. "Four thousand men," he says, "can be raised in the single colony of Boston. There are at least forty thousand souls in the four Colonies." (Ibid., 27.)

[1] See above, p. 204.

[2] Basnage, Annales des Provinces Unies, I. 141, 145.

In these circumstances, the West-India Company instructed their Governor of New Netherland to "live with his neighbors on as good terms as possible." Some negotiation followed, with a view to a conference between the parties; but the preliminaries could not be adjusted. The Commissioners took no pains to promote it, and showed their confidence in themselves by forbidding, under pain of a confiscation of goods, "all persons but such as were inhabitants within the English jurisdictions, and subject to their laws and government," to trade with the Indians within those jurisdictions.[1] 1649. Aug. 6.

At length Stuyvesant decided to waive ceremony, and make a strenuous effort to bring about a better state of things. He came to Hartford while the Federal Commissioners were in session there, and after two days addressed to them a letter, which, however, he dated at "New Netherland." The Commissioners replied that they could not treat with him till the pretension thus implied was retracted. His next note, and others which followed, bore the date of "Connecticut;" and in this the Commissioners acquiesced, while their own letters were dated at "Hartford." Visit of Stuyvesant to Hartford. 1650. Sept. 11.

The Dutch Governor opened his business by complaining of various injuries done to his countrymen, of which the chief was the "unjust usurpation and possessing the land lying upon the river commonly called *Connecticut* or the *Fresh River*." Of this land he frankly "desired a full surrender." He proposed an arrangement for the restoration of fugitives, and a repeal of the law forbidding Dutchmen to trade with Indians within the Colonies; and he extended his letter by the mention of some minor causes of offence. The reply of the Commissioners asserted the English title to the lands on the Connecticut,

[1] Records, &c., in Hazard, II. 134; N. H. Rec., 530 – 536.

as derived from "patent, purchase, and possession." It treated lightly the other matters of complaint, and expressed the opinion that, when the question of territory should be disposed of, "a due consideration might be had of fugitives, and how to settle a right understanding and neighborly correspondency."[1] Stuyvesant proceeded to argue his case with zeal; but he saw that he had adversaries not less pertinacious or well prepared than himself, and that a different expedient must be tried. Varying a little the terms of his former offer of an arbitration, he proposed that the Commissioners should "delegate two indifferent persons out of the Colonies of Boston and Plymouth," who, with two referees to be in like manner named by himself, should pass a final judgment on the matters in controversy. The offer was accepted, after an explanation of some of its phraseology, which had given offence. Simon Bradstreet and Thomas Prince were appointed arbitrators on the part of the Confederacy; and Thomas Willett and George Baxter, English residents at New Amsterdam, on the part of the Dutch. And they were empowered, by formal commissions, to consider, and conclude upon terms for, — "1. A composing of differences; 2. A provisional limit of land; 3. A course concerning fugitives; 4. A neighborly union."

Sept. 15.

Their award was made on the day after the issue of their commissions. In all its particulars it disallowed the claim of the Dutch. It decreed that, as to fugitives, "the same way and course should be observed betwixt the English of the United Colonies and the Dutch within the province of New Netherland," as was prescribed for the Colonies by the eighth article of their confederation. "The proposition of a nearer union of friendship and amity betwixt the English and Dutch nation in these parts, especially

Settlement of disputes and establishment of a boundary.

[1] Records, &c., in Hazard, II. 154 – 159.

against a common enemy," it referred to "due and serious consideration by the several jurisdictions of the United Colonies." Its most material provision was that of a boundary. This was, "upon the main, to begin upon the west side of Greenwich Bay, being about four miles from Stamford, and so to run a northerly line twenty miles up into the country, and after as it should be agreed by the two governments of the Dutch and of New Haven, provided the said line came not within ten miles of Hudson's River." It was "agreed that the Dutch should not at any time build any house or habitation within six miles of the said line;" that the planters at Greenwich should "remain, till further consideration thereof, under the government of the Dutch;" and that the Dutch should "hold and enjoy all the lands in Hartford that they were actually possessed of, known or set out by certain marks and bounds, and all the remainder of the said land on both sides Connecticut River to be and remain to the English." To the English also most of Long Island was assigned, the line between them on the east, and the Dutch on the west, being a meridian drawn from "the westernmost part of the Oyster Bay."[1] The arrangement subjected Stuyvesant to severe displeasure and complaint at New Amsterdam. But it was not to have been expected that he should obtain one on more favorable terms; and it is probable, that, when he appointed Englishmen to be arbitrators on his part, he had made up his mind to the necessity of full concessions. After seeing Hartford and learning the temper of the Commissioners, he had ceased to aim at anything more than to escape without dishonor from a fruitless contest.

But New Haven and Connecticut were uneasy and suspicious; and further provocations followed. 1649.
The New Haven people had revived their enter-

[1] Records, &c., in Hazard, II. 159 – 173.

prise of a settlement upon the Delaware,[1] though in so doing they had failed to obtain from the Commissioners an assurance of protection;[2] and they had there suffered from the Dutch Governor "several high and hostile injuries."[3] When the war broke out between the parent countries,[4] Connecticut esteemed it a fit measure of precaution to put the fort at Saybrook in an efficient state of defence.[5] Both Colonies were in a condition to lend a ready ear to reports, which got abroad, of a plot of the Dutch to enlist against them a joint force of the Mohawks and Nyantics, and of other natives within their own borders. When the rumor — confirmed by some representations of Uncas, the Mohegan, to Mr. Haynes

Renewal of jealousies. 1653. Feb. 23.

Suspected plot of the Dutch with the Indians.

[1] See Vol. I. p. 625.

[2] Records, &c., in Hazard, II. 127. — Plymouth was very peremptory in refusing to become compromised in the matter: "Whereas, by a letter from New Haven, aid by them was requested and required in settling a plantation at Delaware against such as do oppose them in that respect, the Court, having considered thereof, think it not meet to answer their desire in that behalf, and will have no hand in any such controversy about the same." (Plym. Rec., II. 169.)

[3] Records, &c., in Hazard, II. 171; comp. 181, 192–196.

[4] See above, p. 284.

[5] Conn. Rec., I. 237. — A regular annual meeting of the Commissioners should have been held at Plymouth, Sept. 2, 1652. On that day, only five Commissioners appeared. "Upon the 3d of September, at night, came Captain John Astwood, a Commissioner from New Haven, who said that he had been a week on the journey, but had been unavoidably delayed, and Mr. John Browne, of Plymouth, who alleged he was so troubled with the toothache, that he could not come sooner, if he might have had all Plymouth." In these circumstances, and in consideration of the importance of the precedent that would be established, if any informality, as to the time of meeting, or the number of persons acting, should be allowed, it was concluded not to transact any business, further than to answer a letter received from the Society for Propagating the Gospel, and to send a message of advice to some Narragansett Indians. The Plymouth copy of the Records of the Commissioners contains no account of this proceeding, and accordingly there is none in Hazard, who followed it in his edition. Mr. J. Hammond Trumbull, in a recent publication ("Extracts from the Records of the United Colonies," &c.), has supplied this and other chasms from the more complete record, preserved in Connecticut. Each of the four Colonies kept a copy (Winthrop, II. 246), but those of Massachusetts and New Haven are lost.

Something more passed than is anywhere recorded; for when the General Court of Massachusetts, meeting in the

— reached Boston, the Magistrates with all speed summoned a special meeting of the Commissioners, to be held at that place; and before the meeting, to prevent loss of time, they sent messengers to the Narragansetts Pessacus and Mixam, and to Ninigret, sachem of the Nyantics, with letters requiring their testimony as to the existence of such a plot. The chiefs returned explicit replies, severally denying all knowledge of it; and they sent four or five messengers to give any further satisfaction that might be desired. The principal envoy was carefully examined, and nothing could be obtained from him in corroboration of the report. He explained a recent visit of Ninigret to New Amsterdam as having been made for the purpose of obtaining medical advice.[1] April 2.

following month (Oct. 19), declared "their approbation and justification of their Commissioners in judging their last meeting at Plymouth to be frustrate," they added that they "expected satisfaction from the jurisdictions of Plymouth and New Haven," and "ordered a letter to be writ to the Governor of Plymouth, &c., requiring satisfaction for an affront put by one of their Commissioners on one of ours." (Mass. Rec., IV. (i.) 110, 111.) It must have been Browne that had offered the affront; for the gentle Bradford was the other Commissioner from Plymouth, and it was Browne's inopportune toothache that prevented his helping to make up a quorum. Browne had made himself disagreeable some years before by his interference with the claim of Massachusetts to jurisdiction at Shawomet (Winthrop, II. 308), and not improbably had said or done something offensive at the last annual meeting of the Commissioners (in 1651), when that claim was again canvassed. (Records, &c., in Hazard, II. 199 – 203.) The question of the boundary line between Plymouth and Massachusetts was also to have come up at the "frustrate" meeting (Plym. Rec., III. 13); and this may have occasioned altercation. All that I know of subsequent proceedings in relation to the demand of Massachusetts for "satisfaction" from Plymouth, is furnished by the following votes passed by the General Court of the latter Colony in the following April, viz.: "If, by any ordering hand of God's providence, such as are chosen Commissioners are hindered that they cannot appear at the day appointed until a day or two after, the Court declare their minds to be, that notwithstanding they may act, and their acts in such case to be accounted valid and of force. In case both the Commissioners be present at the next meeting at Boston, and do not both sit, then the Court's mind is, that neither of them shall act." (Ibid., 26.) They intended to commission Browne again (Ibid., 30), and they probably apprehended that, in consequence of the offence which he had given, he might be excluded from his seat.

[1] Records, &c., in Hazard, II. 203 – 212. — In the course of the corre-

The Commissioners were not convinced. They proceeded, in an elaborate paper,[1] to recite in full the injuries received by their constituents through a series of years from the Dutch, — on the Connecticut, on the Delaware, on Long Island, at their border settlements, at New Amsterdam, at sea, and by intrigues with the natives. They concluded with a summary of the evidence which had reached them, to the effect that "the Indians round about, for divers hundreds of miles' circuit, seemed to have drunk deep of an intoxicating cup at or from the Manhatoes [Manhattan, New Amsterdam] against the English, who had sought their good both in bodily and spiritual respects." The war, which had now, for several months, existed between England and Holland, at once favored the belief of inimical designs on the part of the Dutch colonists, and gave an advantage to that party in New England which would have precipitated hostilities against them.

May 2.

But, in respect to the sufficiency of the evidence of a plot between the Dutch and Indians, there was a difference of opinion among the Commissioners. Their most distinct information concerning it was from Uncas, whom some of them suspected of an intention to derive from a fabrication, at the present time, a benefit similar to that which a disclosure of facts had formerly afforded him in his quarrel with Miantonomo. The government and Elders of Massachusetts, being called into council, advised further consideration before an irretraceable step should be taken. "Notwithstanding," they said, "we find the presumptions to conclude the Dutch Governor guilty of plotting with the Indians to cut off the English in these

spondence which followed, the Dutch Governor said: "Ninigret . . . . . came hither with a pass from Mr. John Winthrop, upon which pass, as we remember, the occasion of his coming was expressed; namely, to be cured and healed." (Ibid., 261.)

[1] "Declaration of Former Grievances and of this Conspiracy." (Ibid., 212 – 224.)

parts to be very strong, and such as we cannot deny, yea, such as some of us look at to be a sufficient proof thereof; yet, in conscience to that text, 'With good advice make war,' and also considering how unexpedient and unsafe it will be to such a people as ourselves to err either in point of lawfulness or expediency, or both, in a matter of this nature; we present it to your godly wisdoms, whether in this great question it doth not best become a people professing to walk in the Gospel of peace, having to do with a people howsoever pretending to the same profession, that the Dutch Governor have an opportunity given him to answer for himself, either by purgation, or acceptance or disacceptance of satisfactory propositions of security, as the matter shall require; by whose answer whereunto our call to peace or war may be further cleared, and the incolumity of the Colonies in the interim provided for."[1]

The Dutch Governor had written to the Governors of Massachusetts and New Haven, proposing to vindicate himself before them, either personally or by agents, or in conference with messengers to be sent by them to his settlement. The latter course was preferred; and a commission, consisting of Francis Newman, a magistrate of New Haven, and John Leverett[2] and William Davis, officers in the Boston regiment, proceeded to New Amsterdam. In their absence, "the Commissioners considered what number of soldiers might be requisite if God called the Colonies to make war against the Dutch," and decided on the number of five hundred; three hundred and thirty-three to be furnished by Massachusetts (which had twice the population of the rest of the Confederacy), sixty-five by Connecticut, sixty by Plymouth, and forty-two

April 12. May 1.

Preparations for war. May 2.

[1] Records, &c., in Hazard, II. 225.

[2] This was several months before that second visit of Leverett to England, from which he returned with the naval force. See above, p. 285; comp. Mass. Rec., IV. (i.) 179.

by New Haven.[1] "By way of further preparation, they advised with the military officers of Boston about a commander-in-chief, who, upon due consideration, propounded four as fit for such a trust; namely, Major-General Denison, Major Atherton, Captain Leverett, and Captain Savage, of which . . . . . the Commissioners made choice of Captain Leverett, unless the General Court of Massachusetts should propound some considerable exception against him."[2] The reason for their preference was "the opportunity he now had to view and observe the situation and fortification at the Manhatoes," which place, it seems, they thought of assailing, if hostilities should follow.[3]

The conference had no result. The messengers came back dissatisfied. The Dutch Governor had refused to accede to such arrangements for taking testimony respecting the transactions reported, as they considered requisite to entitle it to confidence.[4] They proceeded to collect evidence *ex parte*, which, on their return, they laid before their employers.[5] It was not what had been expected. To not a few discreet and calm judges, it seemed to fall short of proving any concert among the natives for a hostile movement, and to fall far short of proving any agency of

[1] Thus it appears that Massachusetts and Connecticut had been lately increasing more rapidly, in proportion, than the other Colonies. See above, p. 271, note 1.

[2] Mr. Daniel Denison, then of Cambridge, took the freeman's oath April 1, 1634. (Mass. Rec., I. 368.) He was a Deputy the next year (Ibid., 145), and for several years afterwards; Captain of the train-band at Ipswich in 1638 (Ibid., 237); Speaker of the House in 1649 (Ibid., III. 147); Sergeant Major-General in 1653 (Ibid., 296); and an Assistant (Ibid.) in that year and thenceforwards. — Thomas Savage, husband of a daughter of William and Ann Hutchinson, became a freeman, May 25, 1636. (Ibid., I. 372.) He was one of the Antinomians of Boston who were disarmed in the following year. (Ibid., 212.) He went away with his father-in-law to Rhode Island (R. I. Rec., I. 52), but soon thought better of that step, and returned to Boston, where he was chosen a Deputy in 1654 (Mass. Rec., III. 340), having been a Captain at least as early as 1652. (Ibid., 285.)

[3] Records, &c., in Hazard, II. 225 – 231.

[4] Ibid., 233 – 241.

[5] Ibid., 241 – 249.

the Dutch in exciting them to insurrection. On the other hand was the strong presumption against such a conspiracy on the part of the Dutch Governor as was alleged, arising from the obvious probability, that, when he should have aided the natives to extirpate the English, his own people, who had never lived peaceably with them, would be their next victims. Further, he had frankly proposed to the English envoys to make "a defensive and offensive war against all Indians and natives, and other enemies, disturbers of the good inhabitants of both provinces."[1] Accordingly, at this stage of the business, the General Court of Massachusetts, which was in session at the time, interfered, and desired "a consultation" with the Federal Commissioners by a committee of their own body and by some of the Elders.

Doubts of the justifiableness of the war.

Statements of the case, drawn up by Governor Eaton for the Commissioners, and by Major-General Denison for the General Court, were considered at this meeting. Eaton was clamorous for war; but, with all his facilities for acquaintance with the facts, his argument was not satisfactory. The representation made by Denison showed him to be without confidence in that view of them which would be a justification for the extreme measure that was proposed. "The Elders, called to give their opinion what the Lord calleth to do in the present case," took the papers, and, after two days' consideration, delivered their judgment against the precipitating of hostilities. "Concerning," they said, "that late execrable plot, tending to the destruction of so many dear saints of God, which is imputed to the Dutch Governor and Fiscal, we conceive the proof and apprehensions alleged to be of much weight to induce us to believe the reality thereof; and have great cause to acknowledge the special favor of God in its discovery, and the faithful care of his servants in authority over us, as the means, under God,

May 25.

[1] Records, &c., in Hazard, II. 239.

of our continued safety and peace. Yet, upon serious and conscientious examination of the proofs produced, we cannot find them so fully conclusive as to clear up present proceeding to war before the world, and to bear up our hearts with that fulness of persuasion that is meet in commending the case to God in our prayers and to his people in our exhortations. . . . . Therefore we humbly conceive it to be most agreeable to the Gospel of peace which we profess, and safest for these Colonies, to forbear the use of the sword, till the Lord, by his providence and by the wisdom of his servants set over us, shall further clear of his mind." The next day the House of Deputies communicated to the Commissioners their Resolve, that "they did not understand they were called to make a present war with the Dutch."[1]

Dissent of Massachusetts. May 28.

The Commissioners persisted. With the exception of Bradstreet, one of the Commissioners for Massachusetts, they were unanimous for war.[2] A committee was raised by the General Court to report an answer to the question, "whether the Commissioners have power by articles of agreement to determine the justice of an offensive or vindictive war, and to engage the Colonies therein." The sixth Article of Confederation authorized the Federal Commissioners to "examine, weigh, and determine all affairs of war or peace." From general considerations, and from the language of other Articles, the committee argued, in their report, that this provision extended no further than to matters of defen-

June 2.

[1] Records, &c., in Hazard, II. 250–254.

[2] It was "upon the consideration of the national ground" that the Plymouth Commissioners, in September, 1653, "did freely pass their vote for the justice of the war against the Dutch." And a paper signed by Hathorne of Massachusetts, and by the Commissioners for the western Colonies, certifies, that they approved "a present expedition against the Dutch upon a quarrel of England with the Dutch in Europe, ... and upon other grounds expressed at the previous meeting." (Ibid., 302, 303.) Perhaps neither Hathorne nor the Plymouth Commissioners had faith in the Dutch plot with the Indians.

sive war; and they concluded with declaring it to be "a scandal in religion, that a General Court of Christians should be obliged to act and engage upon the faith of six delegates against their conscience."[1]

The report was approved by both branches of the Legislature of Massachusetts. When intelligence of what had been done reached Plymouth, the General Court of that Colony raised a committee to examine "the Articles of Confederation, and to give in their thoughts" at another meeting, which was to be held in the following month;[2] but it does not appear that anything was done in pursuance of this measure. The General Court of New Haven were strongly incensed. The Governor prepared an elaborate argument with a protest against the course which had been taken by Massachusetts; and two messengers — to be joined by two others from Connecticut — were instructed to proceed with it to Boston, and endeavor to obtain a reversal of the decision which had been there announced. Should they fail in that attempt, they were to ask "leave to use some means whereby volunteers might be procured out of that Colony, with shipping, victuals, and ammunition." The Court agreed that, if volunteers could be obtained in Massachusetts, New Haven would embark in the war with the aid of Connecticut alone. And the question being raised, whether, "in case the Massachusetts Colony would not revoke their interpretation they had given of the Articles of Confederacy, the Commissioners should meet

June 7.

June 29.

[1] Records, &c., in Hazard, 249 – 273; comp. Mass. Rec., III. 311 – 316. — When the Commissioners had been, at this time, a month in session, the year for which the Commissioners from Connecticut had been chosen expired (Conn. Rec., I. 233); and a week later, the term of service of the Commissioners from Massachusetts came to an end in the same manner. (Mass. Rec., III. 258.) The session was accordingly suspended (May 18) till the Commissioners elected anew by these Colonies should have time to present themselves. A new session began, at the request of Massachusetts, May 31. (Records, &c., in Hazard, II. 267; comp. Mass. Rec., III. 314.)

[2] Plym. Rec., III. 33.

at the usual time, ... the Court by vote declared that, in case that interpretation were not called in, they saw no cause why they should meet."[1]

Threat of disunion.

Connecticut acceded to the proposal for an application to Massachusetts,[2] but declined to be a party to the plan of obstructing the regular meeting of the Commissioners.[3] The messengers came back from Boston with a letter from the Governor, and two letters from the Magistrates. Endicott wrote that he could not answer for the General Court of his Colony, which was not then in session; but that he did not believe they would consent "either to shed blood, or to hazard the shedding of their subjects' blood, except they could satisfy their consciences that God called for it; ..... neither did he think it was ever at first intended so to act against their consciences when they entered into confederation." The Magistrates used a courteous and conciliating tone, and avowed their own conviction that, in a correct construction of the Articles of Confederation, no distinction could be maintained, in respect to the power of the Commissioners, between offensive and defensive wars.[4]

Sept. 1.

At the regular time, the Commissioners for all four of the Colonies again came together at Boston. The General Court of Massachusetts was in session. "The Court, having considered the letters and papers from the General Courts of Connecticut and New Haven, which were directed to the Governor and Council," wrote to the Commissioners, protesting against the injustice of being placed "under a dilemma, either to act without satisfaction against their light, or be accounted covenant-breakers." The Commissioners were men too clear-headed and upright to deny the soundness of the ethical doctrine on which Massachusetts had deliberately taken

[1] N. H. Rec., II. 4 – 14.
[2] Conn. Rec., I. 244.
[3] Ibid., 245.
[4] N. H. Rec., II. 18 – 22.

her stand. "They knew well," they said in their replies, "that no authority or power in parents, magistrates, commissioners, &c., doth or ought to hold against God or his commands." They "readily acknowledged that all counsels, laws, and conclusions, whether of magistrates, General Courts, or Commissioners, so far as they were manifestly unjust, were, and ought to be accounted, of no force. But," they added, "we conceive that is not the question here."

With Massachusetts, however, — professedly, at any rate, — that was precisely the question. And, that being the question, she was immovable. In the sequel of an animated correspondence, the dissatisfied Commissioners threatened to dissolve the Confederacy, and "return without loss of time to their other occasions." The Court briefly replied on the next day: — "We see not reason to protract time in fruitless and needless returns; we shall acquiesce in our last paper, and commit the success to God." Sept. 9. To make sure, however, of being "rightly understood," when they learned that the Commissioners were about to disperse, they followed their "short writing" with a vote expressing their sense, "that, by the Articles of Confederation, so far as the determinations of the Commissioners are just and according to God, the several Colonies are bound before God and men to act accordingly, and that they sin and break covenant if they do not; but otherwise," they added, "we judge we are not bound, neither before God nor men." This explanation the Commissioners "so far accepted" as to determine to refer to their respective General Courts the question which had arisen, and to proceed to the ordinary business of the session.[1]

Whatever judgment may be passed upon the skill in argument with which Massachusetts vindicated her course

[1] Records, &c., in Hazard, 273 – 283; Mass. Rec., III. 323 – 327, IV. (i.) 166 – 173; comp. Mass. Rec., II. 140 – 144, III. 311 – 316.

on this occasion, no conclusion, different from that which she announced, could have been expected to follow from the principles which steadily guided her action in the early times, provided the conviction professed by her respecting the character of the facts, to which those principles were now to be applied, was really entertained. Whether or not she had either incautiously or deliberately subscribed to a form of words expressing a contract with others to join them, at their pleasure, in what she might account a causeless and therefore wicked war, her enlightened conscience could not fail to satisfy her, as soon as the case arose, that she had not, and could not have, entered in fact into a stipulation to that effect; inasmuch as such a stipulation would have been essentially invalid and void from the beginning, as being *contrary to good morals.*

It is not possible, in the nature of things, for two parties to enter into an obligatory engagement together to do a wrong to a third party. A mutual engagement to spoil and kill the innocent, is the bond of banditti, which courts and gibbets, carrying into effect the moral sense of men, refuse to recognize. What the sense of justice of Massachusetts was to be overruled by on this occasion, if overruled by anything, was her confederation with her sister Colonies. A confederation is a mutual compact, or promise, made between communities; and a promise made by a community is subject to the same conditions as a promise made by an individual. One of these conditions is, that, so far as a promise, by its terms, would require the doing of an immoral act, it has, and can have, no binding force. It is not, and never was, a promise, because the essential element of obligation was absent from it; or rather — to present the truth more fully — because antecedent, paramount, and inviolable obligations would be violated by its being kept. If the contingency that an engagement with another party will prove to have pledged the promiser to an unrighteous

act be looked forward to, the engagement cannot be made without crime; but in any case, a promise, whether of an individual or of a community, has no virtue to require, or justify, or excuse, or palliate an act which, independent of it, would be culpable.[1]

On this occasion, the Commissioners of the three smaller Colonies declared that Massachusetts was dissolving the Confederacy, when she refused to do at its bidding what in their view was right, but what was in her judgment a gross iniquity; and a famous divine of the day could find Scripture to quote against her.[2] But she knew no obligation entitled to interfere with that allegiance to the right and to God, which, however it may be stigmatized in the wickedness or the fatuity of party strife, is the only salt the world affords to keep either men or states from rottenness. She had made the Confederacy, and it was valuable and dear to her. But when its engagements were pleaded for what to her was a crime, she could not shut her eyes to the truth, that the frown of the God of justice was a calamity more to be dreaded than a severance of that union. They who spoke her magnanimous purpose knew that a strife with persons made resolute by a thoughtful and religious sense of duty often ends, when the adverse party is accessible to reason, in its abandoning the point in dispute. They knew further, that they were now dealing with men of religious integrity; and they did not believe that, on reflection, such men would decide to break with them for refusing to do what their honest convictions condemned. The event easily justified their wisdom. But, had the prospect, or the event, been different, these were not men who chiefly regarded present perplexities or apparent

[1] Paley has stated these principles with the clearness and neatness, which were usual with him when he treated subjects that he had mastered. (Principles of Moral and Political Philosophy, Book III., Part I. Chap. V. § 3, Chap. VI.; comp. Vattel, Droit des Gens, Liv. II. § 228.)

[2] Letter of Mr. Norris, of Salem, in Hazard, II. 255, 256.

hazards. They had an absolute conviction that, so long as they followed their sense of right, and only so long, an Almighty Protector was at their side.

There took place, at the same time, important transactions with the Indians besides those incident to their supposed conspiracy with the Dutch. The leading spirit among them, after the death of Miantonomo, was his ally, Ninigret, sachem of the Nyantics. Pessacus was a person of unenterprising character, and the energy with which he had been treated had a permanent effect.[1] Hearing that an assault had been made upon some Long-Island Indians, said to be friendly to the English, the Commissioners sent a message to the Narragansett and Nyantic chiefs, requiring them to appear at Boston in person or by envoys, and "clear themselves, or render a reason of their hostile invasion."[2] The bearers of the message returned with a report of "rude and hostile affronts offered by Ninigret's men," and of "proud, peremptory, and offensive answers" from himself. He had also told them that "his heart was not willing to come to the Bay." Upon these grounds, and in consideration of the other causes of suspicion and displeasure which the savage had given through a course of years, the Commissioners voted, that they "conceived themselves called by God to make a present war against Ninigret, the Nyantic sachem, and such as, by cleaving to him, should maintain his late hostile and bloody proceedings." For this service they resolved to raise a force of two hundred and fifty men; one hundred and sixty-six to be furnished by Massachusetts, thirty-three by Connecticut, thirty by Plymouth, and twenty-one by New Haven. Neither of the Commissioners from Massachusetts signed these votes. Bradstreet formally registered his dissent. "There being no agreement," said he, "produced or proved, whereby the

Alarm of war with the Nyantics. 1653. Sept. 12.

Sept. 20.

[1] See above, p. 231.

[2] Records, &c., in Hazard, II. 283 – 285.

Colonies are obliged to protect the Long-Island Indians against Ninigret or others, and so no reason to engage them in their quarrels, the grounds whereof they cannot well understand, I therefore see not sufficient light to assent to this vote." [1]

The resentment of the western Colonies, now directed specially against the Nyantic chief, was again overruled by the calmer judgment of Massachusetts. On receiving information of the action of the Commissioners, the Magistrates of that Colony resolved that they "did not see sufficient grounds, either from any obligation of the English towards the Long-Islanders, or from the usage the messengers received from the Indians, or from any other motive presented unto their consideration, or from all of them; and therefore dared not to exercise their authority to levy force within their jurisdiction to undertake a present war against Ninigret." The flame, that had scarcely been kept under, now broke out afresh. The Commissioners of the three smaller Colonies united, not only in confirming their recent action against the Nyantics, but in renewing their vote for war against the Dutch; and they passed a Resolve, that "the Massachusetts had actually broken their covenant." Bradstreet recorded his protest against this Resolve, "solemnly professing" that it was not "the mind" of his government "to oppose the determination of the Commissioners further than they conceived the same to oppose the mind of God." The Commissioners admitted "that any determination of theirs manifestly unjust was not binding;" but they insisted, that, their present determination not being of that character, the plea of Massachusetts was not to the present purpose.[2]

New dissension in the Confederacy. Sept. 24.

The General Court of Massachusetts now addressed themselves directly to the governments of the other Col-

[1] Records, &c., in Hazard, II. 288 – 293.

[2] Ibid., 295 – 298.

onies with a proposal for "a committee, to be chosen by each jurisdiction, to treat and agree upon such explanation or reconciliation of the Articles of Confederation as should be consistent with their true meaning."[1] After six weeks, Connecticut and New Haven made a joint reply.[2] "We grant," they said, "as the Commissioners themselves have done, that, if any of their determinations prove manifestly unjust, which they have not yet heard of, they ought to be laid aside. It is better to obey God than man; to obey God than General Courts or Commissioners." But they thought the instrument of confederation sufficiently clear; they saw "no cause to choose or send a committee, either for explication or alteration of any of the Articles;" and they renewed the charge of "breach of league and covenant." Plymouth took four months longer for consideration, and then sent an answer of the same import.[3] Massachusetts made separate replies,[4] and a joint answer was prepared by New Haven for the three dissatisfied Colonies.[5]

Sept. 13.

Nov. 1.

1654. March 7.

June 6. July 15.

The arrival from England of the expedition destined against the Dutch had now taken place; and probably the prospect, thus opened, of attaining the desired end in a way different from what had been insisted on, had a tendency to compose the quarrel. Connecticut had chosen her Federal Commissioners at the usual time;[6] and, after some debate on the question whether the Confederacy should be still sustained, New Haven[7] and Plymouth,[8] at a later hour, followed the example, at the same time instructing their repre-

May 18.

July 5. Aug. 1.

[1] Records, &c., in Hazard, II. 304.

[2] N. H. Rec., II. 37–43; comp. Conn. Rec., I. 248, 249.

[3] Plym. Rec., III. 43; Hazard, II. 305.

[4] Mass. Rec., IV. (i.) 196; N. H. Rec., II. 113, 114.

[5] N. H. Rec., II. 115–117.

[6] Conn. Rec., I. 257.

[7] N. H. Rec., II. 111.

[8] Plym. Rec., III. 62, 67.

sentatives to endeavor to obtain satisfaction for the injury which was imputed. When, at the opening of the next annual meeting of the Commissioners, — held at Hartford, — they "fell upon a debate of the late differences betwixt Massachusetts and the other Colonies," the Commissioners of Massachusetts, in behalf of their government, retracted the distinction which had been made as to the function of the Commissioners in respect to offensive and to defensive wars, and acknowledged the authority of the Federal Council, as it had been maintained on the other side, only insisting on the reservation that it could not oblige to any act or proceeding of a criminal character. "We do hereby," they said, "profess it to be our judgments, and do believe it to be the judgment of our General Court, that the Commissioners, or six of them, have power, according to the Articles, to determine the justice of all wars, &c.; that our General Court hath and doth recall that interpretation of the Articles which they sent to the Commissioners at Boston, ... and do acknowledge themselves bound to execute the determinations of the Commissioners, according to the literal sense and true meaning of the Articles of Confederation, *so far as the said determinations are in themselves just and according to God.*" The Commissioners for the other Colonies unanimously accepted the explanation, "provided the General Court of the Massachusetts, at their next meeting, should certify to the other three General Courts their consent thereunto, and profess to act accordingly."[1] The General Court of Massachusetts did so certify;[2] and the long quarrel seemed at an end.

Explanation of Massachusetts. Sept. 7.

Oct. 13.

The probability of an immediate conflict with New Netherland was now passed. Time had disclosed no more proof of the alleged conspiracy; the border was tranquil; and the parent countries had made peace.

[1] Records, &c., in Hazard, II. 307. [2] Mass. Rec., IV. (i.) 202.

During the year, however, the proceedings of Ninigret, who was probably emboldened by intelligence of the dissension among the Colonies, had been more alarming. Some of his followers were even so rash as to make depredations upon the land of Mr. Winthrop at New London. The Commissioners, proceeding to business, unanimously resolved to send a messenger to require him to make up the arrears of tribute due for some Pequots who had been placed under his government, and to give security for its punctual payment in future, and "for his peaceable carriage" and "faithful observance of his covenants." He was at the same time to be invited to make known the causes of complaint which he was understood to have against Uncas, that the Commissioners might take order for his effectual protection against that chief. His personal presence was not required; but, if he preferred to visit the Commissioners, he was "not to bring with him above twenty or thirty men," to which retinue Uncas was required to allow unmolested passage through his country.[1]

Sept. 12.

Ninigret refused either to come or send to Hartford, or to give any satisfaction; and, though in Massachusetts his conduct was regarded as indicating rather ill-temper and vexation than any dangerous design, yet, as such designs might easily follow, and the example of defiance was dangerous, the Massachusetts Commissioners could no longer take the responsibility of obstructing active measures. They united with the rest in a vote to send twenty horsemen and forty foot-soldiers into his country, with a demand tantamount to that which he had recently rejected. If he should comply with it, no further measures were to be taken. Should he refuse, he was forthwith to be brought to terms by an invading force consisting of forty horsemen and a hundred and forty-three foot-soldiers from Massachusetts, forty-five

Expedition against the Nyantics.

[1] Records, &c., in Hazard, II. 308 – 310; comp. 131.

foot-soldiers from Connecticut, forty-one from Plymouth, and thirty-one from New Haven. A commission and instructions were prepared for the Commander-in-chief. The appointment of that officer was left to Massachusetts; but the Commissioners expressed their hope that it might fall to Major-General Gibbons, Major Denison, or Captain Atherton.[1] Sept. 25.

It seems that Gibbons and Denison declined the trust, and that Atherton was absent. At all events, it was assigned to Simon Willard, of Concord, one of the Assistants of Massachusetts, and Sergeant-Major of the militia of Middlesex County. He mustered his Massachusetts force at Dedham, and led it by Providence, and along the western shore of Narragansett Bay, to Ninigret's customary residence, in what is now the town of Westerly. Ninigret had withdrawn "up into the country, into a great swamp;" and Willard deferred the pursuit till the troops from Connecticut and New Haven should come up. Three or four days passed before they arrived. The delay was highly unfavorable to the success of the expedition. The place of Ninigret's retreat was fifteen miles from Willard's camp. Captain Seely, of New Haven, and Captain Davis, of the Massachusetts cavalry, were despatched to confer with him. He professed to be in great alarm; but the only distinct engagement which he could be prevailed upon to make, was to surrender the Pequot captives, whose hire, or tribute, he had neglected to pay. The season and the weather were unsuitable for further operations. Possibly Willard had instructions from his immediate superiors not to put too much at hazard for what in Massachusetts had scarcely been regarded as an urgent cause.[2] He attempted no more, and brought back

Oct. 3.

Oct. 9.

Oct. 13.

Oct. 18.

[1] Records, &c., in Hazard, II. 318, 319.

[2] Just as Willard was beginning his march from Massachusetts, the Magistrates received a long letter from Williams, in which he pleaded with them earnestly against using severe measures with Ninigret. The letter is in Knowles, p. 272.

Oct. 24. his immediate command to Boston in fifteen days from his departure.[1]

When the next meeting of the Commissioners, which was held at New Haven, afforded them opportunity to express their sense of Willard's conduct, nearly a year had passed, giving time for passion to subside. But they then unanimously announced their disapprobation of it in earnest terms.[2] On the other hand, the government of Massachusetts, entertaining the opinion that intimidation had more cheaply answered the purpose of violence, and that "the peace of the country, through the blessing of God upon the late expedition, was comfortably secured," gave their thanks to the troops for "their cheerful and ready service."[3] Willard did not lose the public confidence; and though afterwards, from time to time, the perverse savage, whom he was blamed for sparing, gave occasions for complaint, these were never again of such moment as to create serious anxiety, or to call for any costly measures of coercion. The English found that the easiest way to protect their countrymen, and the friendly Indians on Long Island, against Ninigret's inroads, was to give them a frugal supply of arms and ammunition, and employ a little vessel to cruise in the Sound and intercept his boats.[4] And, as matters stood between the parties, occasional threats probably accomplished as much towards repressing the disorders of these unreason-

1655. Sept. 19.

[1] Joseph Willard, Willard Memoir, or Life and Times of Major Simon Willard, &c., 204 – 215. — Simon Willard, born, in 1605, at Horsmonden, in Kent, came to Massachusetts in 1634, and established himself at Cambridge. In the autumn of 1635, he went with the Reverend Mr. Bulkeley, "and about twelve more families, to begin a town at Musketaquid, ... and it was named Concord." (Winthrop, I. 167.) In 1636 (Mass. Rec., I. 185) and for many years afterwards, he was a Deputy in the General Court for that place. In 1653, having previously gone through the inferior degrees of military command, he was promoted to be Sergeant-Major of the troops of Middlesex County, and in the following year was first chosen to be an Assistant. (Mass. Rec., IV. (i.) 181.)

[2] Records, &c., in Hazard, II. 340.

[3] Archives of Massachusetts, XXX. 44, 45.

[4] Records, &c., in Hazard, II. 341 – 343.

ing people, as could have been effected by any sterner policy, not too severe for Christian charity to allow.[1]

But the relations of the colonists to the natives were by no means merely hostile. If the English felt it to be necessary to watch against a constant danger from the enmity, or the uncertain humor, of their neighbors, they were not wanting in exertions to promote both their comfort and their spiritual well-being. After the war with the Pequots, the captive survivors of that nation had been distributed among the Mohegans, the Narragansetts, and the Nyantics, who engaged to make a yearly payment to the English for their services. This guardianship was liable to much abuse, and the Pequots from time to time complained to the English of being ill-treated by their masters. The irregularity of the payments made by the Indian allies, under the stipulation by which they held the Pequots, gave the English good authority for interfering; and, after proving the ill-success of mere remonstrance and admonition,[2] they adopted the humane course of establishing the Pequots in settlements of their own, at the same time transferring to them the obligation of tribute, and releasing the governing tribes. To the communities thus formed, of which there were three or more, the Commissioners prescribed a simple system of laws, and appointed native magistrates to administer it; and as, for greater security, the settlements were formed in the neighborhood of the English, daily intercourse and example had some effect, and some approach was made to an orderly way of living.[3]

Protection extended to the remnant of the Pequot tribe.

The enthusiasm for the conversion of the natives to

[1] Records, &c., in Hazard, II. 361, 379, 384, 388, 398. — Massachusetts was of opinion that even this sort of interference with Indian disputes was too frequent, and could "in reason have no other attendance in conclusion than to render us low and contemptible in the eyes of the Indians, or engage us to vindicate our honor in a dangerous or unnecessary war." (Ibid., 381.)

[2] Ibid., 87 – 91, 131, 188.

[3] Ibid., 334, 335; comp. 345, 359, 387.

Christianity continued to grow and spread. At the meeting of the Federal Commissioners in the next year after the institution of "the Society for the Promoting and Propagating of the Gospel of Jesus Christ in New England," a letter[1] was laid before them from Mr. William Steele, the President of that Corporation, beginning a correspondence which was actively carried on as long as a Confederacy existed. The Commissioners kept the Society freshly informed of the prospects of the enterprise, and specified its necessities as they arose, and the kind of supplies which they desired to receive. The Society reported their progress in spreading information, enlisting friends, and collecting contributions in England; they made remittances of money, tools, and commodities for the use of the converts; and they gave advice as to the course of operations to be pursued on the spot.[2]

Continued efforts to instruct the natives in religion.
1650. Sept. 5.

Under such favorable auspices the business proceeded. In the seventh year after the establishment of the Corporation, the sums which it had remitted to New England amounted to more than seventeen hundred pounds;[3] and, four years later, its property yielded an annual income of six or seven hundred pounds.[4] Edward Rawson, Secretary of the Colony of Massachusetts, was the "steward or agent" of the Commissioners for the management of their business affairs.[5] The Commissioners placed themselves in communication with Eliot and Mayhew;[6] and, as opportunity permitted, they employed oth-

1651. Sept. 12.

[1] Records, &c., in Hazard, II. 145–147. — This letter recommends that Winslow be continued in the agency, alike because of his "integrity, abilities, and diligence," and of "his great interest and acquaintance with the members of Parliament and other gentlemen of quality in the respective counties."

[2] Ibid., 145–150, 174–180, 312, 325, 327–331, 350–358, 373–378, 383, 384, 389–395.

[3] Ibid., 353.

[4] Hutchinson, 155. — Gookin, writing in 1674, expressed the opinion that for this charity "New-England people" had done "not less, but far more, in proportion, than their countrymen in England." (Mass. Hist. Coll., I. 213.)

[5] Records, &c., in Hazard, II. 187.

[6] Ibid., 185, 186.

ers, Englishmen and natives, in the capacity of assistants to those missionaries, and in other places.[1] They selected some young men to "be maintained at Cambridge to be educated and fitted for future service to be helpful in teaching such Indian children as should be taken into the College for that end;" and they authorized the Commissioners of Massachusetts to erect within the College precincts a building not over "thirty feet in length and twenty in breadth," for the accommodation of native pupils.[2] They made provision for printing catechisms in the Indian languages.[3] They furnished their chief missionaries with an apparatus of books.[4] They encouraged some "deserving Indians" by small pecuniary bounties.[5] In the eighth year of their administration of the trust, their outlay, according to the account then rendered, amounted to five hundred and twenty pounds.[6] 1658. Sept. 22.

[1] Records, &c., in Hazard, II. 232, 321, 371–373, 395.

[2] Ibid., 321, 322; comp. 313, 379; Hutch. Coll., 231.

[3] Records, &c, in Hazard, II. 300, 366. — See Mr. Pierson's catechism in "Progress of the Gospel," &c., 25 *et seq.*

[4] Records, &c., in Hazard, II. 178, 179; "Further Discovery," &c., 24, 25.

[5] Records, &c., in Hazard, II. 366. — "Ordered, that . . . . . a coat of about three yards of the coarsest cloth be made up and given to the sagamore of Agawam, to encourage him to learn to know God, and to excite other Indians to do the like." (Ibid, 333.)

[6] Eliot's salary was £ 50. That of Mayhew, who was now dead, had been the same. (Ibid., 378.) His father, who succeeded him, had £ 20, and his widow had a gratuity of the same amount. "Thomas and Jacob, two Indian interpreters and schoolmasters that instructed the Indians at Martha's Vineyard," and "five Indian interpreters and schoolmasters employed by Mr. Eliot in sundry places," had each £ 10. "Peter Foulgier, English schoolmaster that taught the Indians and instructed them on the Lord's day," received £ 25, and "Mr. Eliot's son," and Mr. Pierson, of Branford, Connecticut, for their "labors among the Indians," each £ 20. Major Atherton, by "keeping courts amongst the Indians in divers places, and instructing them in their civil conversation," earned £ 10; Richard Bourne, and William Leverich of Sandwich, £ 15 and £ 5 respectively by "pains in teaching the Indians there." The Governor of New Haven had £ 5 "to give to well-deserving Indians," the Governor of Plymouth £ 2 for "Bibles, &c.," and Mr. Eliot £ 2 for "Bibles, spectacles, and primers for the Indians." Nine Indian students at Cambridge and Roxbury cost their patrons £ 174 for "diet, clothing, bedding, and tutorage," and £ 6 for "books, paper, and inkhorns." Bills for medical treatment and medicine came to £ 10, and the salary of Rawson, the financial agent,

The Society's operations for raising money had not been unobstructed. The strictures passed upon the local management by Eliot — who perhaps thought, that, considering the part he had taken in the earliest stage of the enterprise, he was not sufficiently consulted, and who certainly was very frugally paid — became known in England, and, notwithstanding "the elaborate pains of Mr. Winslow," threatened to injure "the work" to the amount of "some thousands of pounds;" for the report of them "flew like lightning and took like tinder, men being extreme glad to meet with anything that might color over their covetousness and dull their zeal in so good a work."[1] Some persons, who had been too sanguine in the expectation of returns from money contributed by them to the original expenses of colonization, complained of "the ill management of former gifts bestowed on the country of New England." The messengers from Massachusetts, Weld and Peter, especially the latter, were personally regarded with dislike by many to whom applications for assistance were addressed; and, on the other hand, Mr. Peter, for no cause that could be guessed, "unless it were that the work was coming to such perfection and he had not had the least hand nor

was £ 20. (Ibid., 393, 394; comp., for similar accounts, 358, 378.) Eliot did not always approve of the distributions made by the Commissioners, and sometimes gave them displeasure by communicating directly with the Corporation in England on the subject. The Corporation wrote, that they were "far from justifying Mr. Eliot in his turbulent and clamorous proceedings; but the best of God's servants," added they, "have their failings, and as such so we look upon him;" and they advised the Commissioners to increase his stipend (Ibid., 312, comp. 332); advice with which they readily complied, after explaining to him the just and liberal grounds on which they had proceeded. (Ibid., 314, 315; comp. 298, 299, 311, 333, 354.)

Mr. Steele, President of the English Corporation, wrote to the Commissioners that Mr. Winslow was preparing to return to America, but that his presence in England was of extreme importance to "the business of the said Corporation," and that the Corporation and the Commissioners must "see he be no sufferer." The Commissioners accordingly desired the Corporation to allow him £ 100 from the English contributions. (Ibid., 145 – 147.)

[1] Ibid., 186, 311, 329.

finger in it," not only refused to it a contribution of his own, when he was "of a committee in the army for the advance of it," but "told Mr. Winslow, in plain terms, he heard the work was but a plain cheat, and that there was no such thing as Gospel conversion among the natives."[1] There were men not without consideration, who, looking to wants nearer home, did not see it to be their duty "to raise great sums to promote the Gospel among naked people;" and there were others, who "would have nothing to do to promote human learning," inasmuch as, in their judgment, there was "too much of it already."[2] The Corporation challenged confidence by giving public notice that "their books were open at Coopers' Hall, London, between the hours of ten and twelve every Saturday, when all might without offence see what was given, and by whom, when brought in, and how employed or improved."[3] And by the publication of a series of pamphlets, they solicited attention to their object, and made known their progress.[4]

[1] Records, &c., in Hazard, II. 175, 311; comp. 177, where it appears that the "former gifts" referred to were those which were "expended in foundation-work, not only before the Colonies did combine, but before two of them had any being." See Vol. I. 310.

In the Rawlinson MS. in the Bodleian Library, at Oxford, (see Vol. I. 584, note 1; also, see above, p. 176, note 1,) is a collection of accounts and other papers of Weld, relating to his agency for Massachusetts. The accounts of his receipts and expenditures are minute, and look as if they ought to have been satisfactory, though Nathaniel Duncan, Auditor-General of the Colony (Mass. Rec., II. 141), wrote, as the result of his examination of an account rendered in 1647, after Winslow went to England: "So it appeareth that the country in general hath little benefit by all these moneys, and less considering how great trouble the Court hath had about it." Weld specifies the objects for which he had received contributions from charitable persons as follows; namely, "a common stock; the poor children; the College; the advance of learning; the library; the poor of New England; and the conversion of the Indians."

In Weld's catalogue of his books sold to the English corporation for the use of Mr. Eliot (see above, p. 333), appears a copy of Aristophanes. Greek and drollery were not distasteful to these men.

[2] Records, &c., in Hazard, II. 179.

[3] "Strength out of Weakness, &c., or a Glorious Manifestation of the Further Progress of the Gospel among the Indians in New England," &c. Preface.

[4] The pamphlet referred to in the last note was the first, relating to this subject, which was issued by the Cor-

Their friends exulted in what appeared to be the smile of Providence upon their efforts. Eliot was indefatigable, though in the face of discouragements, some of which even his sanguine temper could not disregard. The chiefs of the great tribes all opposed him. It was evident that his success would impair their authority. "Some tribute" the converts were "willing to pay, but not as formerly;"[1] and the Commissioners thought it prudent to instruct Eliot to "be slow in withdrawing Indian professors from paying accustomed tribute, and performing other lawful services, to their sagamores."[2]

The caution thus enforced upon him was scarcely to be reconciled with the execution of a project, which he had entertained from the first, and which, as soon as possible, he proceeded to realize. He thought it material to collect his native followers into a separate society.[3] Nonantum, the place of his early successes, did not seem to him well adapted for this purpose. He looked for some spot "somewhat remote from the English, where the word might be constantly taught, and government constantly exercised, means of good subsistence provided, encouragements for the industrious, means of instructing them in letters, trades, and labors, as building, fishing, flax and hemp dressing, planting orchards, &c."[4] On Charles River, about eighteen miles west from Boston, he found a site, called by the Indians *Natick*, which appeared well suited to his purpose. He laid out lands on both sides of the stream,

Community of converts at Natick. 1650. July.

poration. It was published in 1652, with a preliminary Epistle (from Owen, Nye, and ten other eminent ministers, Presbyterian and Independent) "to the Supreme Authority of the Nation, the Parliament of the Commonwealth of England." Later publications of the Corporation were "Tears of Repentance, or a Further Narrative," &c. (1653), "A Late and Further Manifestation of the Progress of the Gospel," &c. (1655), and "A Further Account of the Progress of the Gospel," &c. (1659).

[1] Eliot in "Further Discovery," &c., 37, 38.

[2] Records, &c., in Hazard, II. 316.

[3] "Clear Sunshine," &c., 3; "Glorious Progress," &c., 18; "Further Discovery." &c., 17.

[4] "Glorious Progress," &c., 8.

which was not fordable at all seasons, and under his direction the Indians built a foot-bridge across, eighty feet in length, and prepared timber for a house. Along two streets on one side of the river, and one street on the other side, parcels of land, each sufficient for a dwelling, a garden, and an orchard, were enclosed, 1651. and one such homestead was assigned to each native head of a family. A palisaded fort was erected, and a "common house," fifty feet long and twenty-five feet wide. The latter, constructed by the natives with a little assistance from an English carpenter, contained a hall which served on Sundays for a place of worship, and on other days for a school-room, a second story being divided between a store-room and an apartment for Mr. Eliot.[1]

The converts of Nonantum having been here brought together, the first thing to be done was to provide for the keeping of order among them. Eliot's scheme of a government was simple, and he did not anticipate any practical difficulties in carrying it out. "I propound this," he said, "as my general rule through the help of the Lord; they shall be wholly governed by the Scriptures in all things both in church and state; they shall have no other lawgiver."[2] Having explained his plan in those of its details which required to be first considered, he convoked a meeting to put it in operation. After prayer, Aug. 6. he expounded the eighteenth chapter of Exodus; and the Indians then proceeded to elect a "ruler of an hundred," two "rulers of fifties," and ten "rulers of tens," otherwise called *tithing-men*.[3] After a few weeks, the community further imitated the example of the Israelites

[1] "Further Discovery," &c., 36, 37. "Further Progress," &c., 17, 18; comp. Mass. Rec., III. 246, 294.

[2] "Further Discovery," &c., 23, 28.

[3] "Further Progress," &c., 9, 10. — Probably the numerical division was not strictly observed, for "every man chose who should be his ruler of ten, the rulers standing in order, and every man going to the man he chose." The teacher and rulers were compensated by a collection of tithes of the "yearly increase of all sorts of grain and pulse." (Gookin, in Mass. Hist. Coll., I. 178.)

by entering, with public solemnities, "into covenant with God and each other to be the Lord's people, and to be governed by the word of the Lord in all things."[1] The Governor, with Mr. Wilson and others, came to satisfy themselves as to what had been done,[2] and "declared their joy to see such beginnings." After a cautious delay of three years, eight converts were examined at Roxbury by some ministers convened by Eliot for the purpose of ascertaining whether they were in a state of preparation "to enter into church covenant." Their proficiency was approved, but that important measure was still postponed.[3]

Sept. 24.

Oct. 8.

1654. June 4.

The General Court appointed a committee "to lay out meet bounds for the Indian plantation at Natick,"[4] the town of Dedham having already enlarged it by the gift of two thousand acres.[5] A similar community, less numerous, was collected at Punkapog, now Stoughton.[6] It was for the advantage of all parties that such establishments should be wisely superintended; and Daniel Gookin, an Assistant, was chosen to be "ruler over the praying Indians in the Colony of Massachusetts." He faithfully executed this office for many years, till his death, with the exception of two or three years, during which it was sustained by Humphrey Atherton, Gookin being most of that time absent in England.[7]

1652. Oct. 26.

1656.

1658–1661.

[1] "Further Progress," &c., 10; comp. "Tears of Repentance," &c., 2; Ex. xxiv. 3–8.

[2] "Further Progress," &c., 13, 19, 33–35.

[3] "Late and Further Manifestation," &c., 4, 5, 20–22; Magnalia, III. 198.

[4] Mass. Rec., IV. (i.) 112.

[5] Ibid., 75.

[6] Ibid., 334; comp. "Late and Further Manifestation," &c., 2, 3. — May 14, 1654, the General Court gave permission to the settlers of the towns now called *Littleton*, *Marlborough*, and *Grafton*, to "erect Indian towns, with convenient accommodation." (Mass. Rec., IV. (i) 192.) But, so far as I know, the measure was fruitless for the present.

[7] Gookin, "Historical Collections of the Indians," &c., in Mass. Hist. Coll., I. 213. Gookin finished this composition in 1674. — Atherton was instructed to "take care that the Indians live according to our laws, so far as they are capable, and to that end . . . . .

The evangelical labors of Thomas Mayhew, the younger, in Martha's Vineyard, had preceded those of Eliot, at least in respect to systematic instruction. They were so successful, that, in his first communication to the Society for Propagating the Gospel, he was able to report: "Through the mercy of God, there are an hundred ninety-nine men, women, and children, that have professed themselves to be worshippers of the great and ever-living God."[1] In the next year the number of his converts had increased to "two hundred eighty-three Indians, not counting young children." Public worship was conducted by natives in two places on the Lord's day, and "about thirty Indian children were at school."[2] The prospect which he had opened was

Mayhew at Martha's Vineyard. 1651. Oct. 16.

1652. Oct. 22.

to constitute and appoint Indian Commissioners in their several plantations, to hear and determine all such matters that do arise among themselves as one magistrate may do amongst the English;" and Atherton and these Commissioners, sitting together, were to have the power of a County Court within the plantations. (Mass. Rec., IV. (i.) 334.)

Gookin first came to Boston, from Virginia, May 20, 1644, and was admitted to be a freeman nine days afterwards (Mass. Rec., II. 293), being then called *Captain*. He was probably one of the "divers godly disposed persons," who, according to Winthrop (II. 165), left Virginia on account of the massacre perpetrated there by the Indians in that year; a calamity which Winthrop connected with the Virginians' "reviling the Gospel and those faithful ministers [Tompson and others] God had sent among them" from New England. Gookin established himself at Cambridge, where he was presently appointed captain of the train-band, having formerly been "a Kentish soldier," and "a very forward man to advance martial discipline, and withal the truths of Christ." (Wonder-Working Providence, 192.) In 1649, he was a Deputy to the General Court (Mass. Rec., II. 265); in 1651, he was Speaker of the House (Ibid., III. 221); and in the following year he was made an Assistant. (Ibid., 258.)

Atherton took the freeman's oath, May 2, 1638 (Mass. Rec., I. 374), and was a Deputy from Dorchester to the General Court in the autumn of the same year (Ibid., 235), in the next year (Ibid., 255), and in several other years. In 1646, he was chosen to be a captain (Ibid., II. 146), and in 1653, Speaker of the House (Ibid., III. 297), being then Deputy for Springfield, though his home was still in Dorchester, residence in a place not being required in those days as a qualification for representing it. The next year he was made an Assistant (Ibid., 339); and in 1661, Major-General (Ibid., IV. (ii.) 1). See above, p. 231.

[1] "Further Progress," &c., 31.

[2] Mayhew's Letter, prefixed to "Tears of Repentance."

1657. November. clouded by his premature death. A vessel in which he had embarked for England with some of his converts was never heard of afterwards. But the enterprise was not abandoned. "Old Mr. Mayhew, his worthy father, struck in with his best strength and skill;"[1] and the loss which seemed "almost irreparable"[2] was not permitted by the aged mourner to be complete and fatal.

Missionary efforts in the southern Colonies.

The southern Colonies of New England did not prove to be fertile missionary ground. More powerful, better compacted, and less needy than their countrymen in Massachusetts, the Mohegans, Narragansetts, Wampanoags, and Nyantics were less susceptible of influence from their new neighbors. It was thought matter of surprise, that, "in Rhode Island and Providence Plantations," where the language of the natives was so well understood by Mr. Williams and others, "no conversions had taken place among them;" and one reason of this barrenness was supposed to be "the bad example of the English in those parts, where civil government and religion ran very low."[3] The remnants of the Pequot race were in intimate dependence upon the English; but among them the labors of Mr. Richard Blindman[4] found a very scanty requital, so far as is known. "In the jurisdiction of Connecticut, Mr. Abraham Pierson, pastor of the church at Branford, having gained some knowledge of the Indian tongue, made some beginnings, and continued in that work some years, to preach the Gospel to some Indians in those parts;" but Gookin had not "heard of any considerable fruits of his

[1] Gookin, in Mass. Hist. Coll., I. 203.

[2] Letter of Commissioners, in Hazard, II. 397.

[3] See above, p. 195, note 5. — Cotton (Way Cleared, &c., 79 – 82) is very severe upon Williams for neglecting, with his facilities for addressing the Indians, "to take the opportunity of preaching to them the word of the Lord."

[4] It is not even certain that Mr. Blindman accepted the appointment offered to him by the Commissioners. (Records, &c., in Hazard, II. 371, 372, 378.)

labors with them," [1] and it may be presumed there were none. At Sandwich, in Plymouth Colony, lived Mr. Richard Bourne [2] and Mr. William Leverich,[3] both of whom followed, but with no striking success, in the steps of Eliot and Mayhew. Most of the services of the missionaries who have been named were rendered under the direction of the Federal Commissioners, through whom allowances were made from the treasury of the English corporation.[4]

The chief proceedings of the Commissioners of the United Colonies during the time of their most unrestricted freedom have been recorded in this and in the last chapter. The course of affairs in the mother country, averting the danger of encroachment from that quarter, had relieved the Confederacy from the heaviest responsibility which it had been devised to meet. Among the particulars of miscellaneous business brought before the Commissioners from time to time by the several jurisdictions, occur such as are indicative of the generous comprehensiveness of their objects, confined, and at the same time illustrated, by their humble means. On information from the Corporation of Harvard College, "that the former College buildings were in a decaying condition, and would require considerable charge erelong for a due repair, and that, through the increase of scholars, many of them were forced to lodge in the town," the Commissioners, "conceiving that the advancement of learning here might also advance the work of Christ among the Indians," desired Mr. Winslow to ascertain whether aid could be obtained for the College from the So- 1651. September. ciety for Propagating the Gospel, at the same time expressing their readiness to propose to the Colonies, "that by pecks, half-bushels, and bushels of wheat, according as

[1] Gookin, in Mass. Hist. Col., I. 208; comp. Records, &c., in Hazard, II. 469.
[2] Gookin, in Mass. Hist. Col., I. 196.
[3] "Further Progress," &c., 21 – 25.
[4] Records, &c., in Hazard, II. 393.

men were free and able, the College might have some considerable yearly help."[1] "To the end that the works of God and his goodness, which had been great towards his people in their first planting of this desolate wilderness, might never be forgotten, but be kept in a thankful and perpetual remembrance, to the praises of his grace and comfort of posterity," they requested the several General Courts to collect memorials of the past, so that "some one fitly qualified might be appointed and desired to compose the same into a history, and prepare it for the press."[2]

1656. Sept. 17.

[1] Records, &c., in Hazard, II. 197. — In this year, the account of Thomas Weld's agency was at last settled. When he presented it in 1647 (see above, p. 334, note 1), he bespoke the interest of Mr. Ezekiel Rogers to get it despatched. (Letter of Rogers to Winthrop, Nov. 8, 1647, in the "Hutchinson Papers" in the possession of the Mass. Hist. Soc., I. 133.) But the parties were not yet prepared to agree. At length, Oct. 25, 1651, a committee of the General Court, consisting of Nowell, Duncan, William Tyng, and Edward Johnson, "accepted and allowed of" the account, with a balance in Weld's favor of £ 19. 16, in a sum of £ 1,625. 2. 6. (Mass. Archives, LVIII. 6.)

[2] Records, &c., in Hazard, II. 367. — Accordingly, New Haven (May 27, 1657) "agreed to desire Mr. Davenport, Mr. Higginson, and Mr. Pierson to gather up the most remarkable passages of God's Providence which hath been observable in these parts since their first beginnings, which may be a help towards the compiling of a history of the gracious providences of God to New England" (N. H. Rec., II. 217); and Connecticut (Oct. 2, 1656) raised a committee, consisting of Major Mason, Mr. Stone, and six others, for the same service. (Conn. Rec., I. 284.) I do not know that Plymouth or Massachusetts acted on the recommendation. Perhaps it was known that Bradford and Winthrop had been keeping journals.

CHAPTER IX.

The plantations about Narragansett Bay were as yet incapable of a settled government. They needed first to learn by experience that social order is inconsistent with such an uncompromising *individualism* as they affected to maintain. Unorganized within themselves, they continued to have but a loose relation to the unity of New England. Little cause as there might be to admit that they had legitimate political claims, plausible as were the reasons which the Confederacy might plead for interference in their affairs, and incompetent as they were to self-defence against its well-compacted power, the Confederacy had no mind to molest them. They served the Confederacy a useful purpose. In the existing ferment of opinion in the parent country, it was to be expected that among the emigrants to New England there would be persons affected with all sorts of eccentric humors; and it was beneficial to the other plantations that there should be a place where such persons might conveniently collect, and gradually become quiet and wise by making their experiments where they would do little harm except to one another. It was an advantage to have, near by, a sufficient receptacle for the overflow of communities which would be the more wholesome for being drained. Williams, Coddington, and some of their associates, possessed qualities worthy of high esteem; but it is doing them no injustice to say, that to build solid commonwealths was not their vocation, and that, if the New-England settlements had all been "Providence Plantations," New England would have proved a failure.

Commission of Coddington. 1651. August. April 3.

It was known that Coddington had gone to England in discontent at the state of things about him; but the special purpose of his voyage had not been disclosed. After an absence of two years and a half he returned, having obtained a "commission" from the Council of State to institute a separate government over the islands of Rhode Island and Conanicut.[1] This government he was to administer during his life, with a Council of not more than six assistants, to be nominated annually by "such freeholders of Newport and Portsmouth as should be well affected to the government of the Commonwealth of England," the choice, however, to be subject to the Governor's approval.

[1] See above, p. 221. — It can hardly be supposed that Coddington had the aid of Vane in superseding the patent of Providence Plantations, though they had been in the magistracy of Massachusetts together, and had been fellow-sufferers in the Antinomian controversy.

The first meeting of the Council of State was held February 17, 1649, in the third week after the execution of the King. For two years the business of the Colonies was overlooked. At the end of this time (February 18, 1651) an order was made "that the whole Council, or any five of them, be a Committee to consider of the business of plantations." A vote of the Council, six weeks later (April 3), recites that, "by a late Act of Parliament of the 3d of October last, it is granted to the Council of State to have power and authority over all such islands and all other places in America as have been planted at the cost and settled by the people and authority of this nation, and thereon in any of the said islands and places to institute Governors, and to grant commission or commissions to such person or persons as they shall think fit, and to do all just things and to use all lawful means for the benefit and preservation of said plantations and islands in peace and safety until the Parliament shall take other or further order there, any letters patent or other authority formerly granted, or given, to the contrary notwithstanding." It then goes on to "make and constitute" William Coddington "to be Governor of the said islands" (Rhode Island and Conanicut), and to commission him as such. He is to administer his government "in the name of the Keepers of the Liberties of England by authority of Parliament, and to use and observe the same and no other form" in all commissions and proceedings. He is to be assisted by Counsellors "not exceeding the number of six," who are to be nominated from year to year by well-affected freeholders of Newport and Portsmouth, but must be confirmed by the Governor. The electors, as well as the Magistrates, must make the declaration: "I do declare and promise that I will be true and faithful to the Commonwealth of England as it is now established, without a King or House of Lords" (Journal of the Council of State, in the State-Paper Office.)

In case of the Governor's absence or death, the local Council were to appoint his successor, who was to hold his office till the Parliament or the Council of State should "give further order." Besides Providence and Warwick, which were thus remanded to their original isolation, a large number of Coddington's own fellow-citizens on the island — no fewer than sixty-five at Newport, and forty at Portsmouth — were opposed to this arrangement. One reason, at least, for so strong an opposition is to be found in religious dissent.

When a portion of the adherents of Mrs. Hutchinson had separated themselves from their old friends, and made a settlement on Rhode Island, it was not to be supposed that their propensity to religious novelties and disputes was exhausted. "Other troubles," writes Winthrop, who of course did not view them with a favorable eye, "arose in the island by reason of one Nicholas Easton, a man very bold, though ignorant. He . . . . . maintained that man hath no power or will in himself but as he is acted by God; and that, seeing God filled all things, nothing could be or move but by him; and so he must needs be the author of sin, &c.; and that a Christian is united to the essence of God. . . . . There joined with Nicholas Easton Mr. Coddington, Mr. Coggeshall, and some others; but their minister, Mr. Clarke, and Mr. Lenthall and Mr. Harding, and some others, dissented and publicly opposed, whereby it grew to such heat of contention, that it made a schism among them."[1] Heretofore Clarke had been the fast friend of Coddington, and had adhered to him, with Easton and Coggeshall, at the time of the disturbance which resulted in his deposition and his removal to Newport.[2] 1641.

The controversy in Massachusetts, which occasioned

[1] Winthrop, II. 40.

[2] R. I. Rec., I. 87; comp. Vol. I. 512 – 514. — Easton afterwards changed sides, and became Clarke's partisan against Coddington. (Mass. Hist. Coll., XXIX. 278.)

the emigration to Rhode Island, did not involve questions respecting the subjects or the mode of baptism. It is believed to have been about the seventh year after the beginning of the plantation at Newport, that a church of Baptists — or *Anabaptists*, as they were called by their opponents — was gathered there.[1] Its principal member was John Clarke, who had already been, during most of the time, the religious teacher, as well as the physician, of the settlement.[2] Coddington did not belong to it; and Clarke and he were thrown into further opposition.

Baptists at Newport. 1644.

The opinions of the Baptists did not gain acceptance in Rhode Island only. Writing in the same year, when perhaps he already knew what had been there done, Winthrop says: "Anabaptistry increased and spread in the country, which occasioned the Magistrates at the last Court to draw an order for banishing such as continued obstinate after due conviction. This was sent to the Elders, who approved of it with some mitigations, and, being voted and sent to the Deputies, it was after published."[3]

In their statute the law-makers alleged the considerations which moved them to enact it. It was as follows: —

"Forasmuch as experience hath plentifully and often proved that, since the first arising of the Anabaptists, about a hundred years since, they have been the incendiaries of commonwealths, and the infectors of persons in main matters of religion, and the troublers of churches in all places where they have been, and that they who have held the baptizing of infants unlawful have usually held other errors or heresies together therewith, though they have (as other

Law against Baptists in Massachusetts. Nov. 13.

R. I. Hist. Coll., 117; Backus, History, &c., I. 149.

[2] See Vol. I. 511. Clarke had been the minister of Newport from the beginning, except in the time between August, 1640, and March, 1642, when Lenthall was there. (Backus, I. 114.)

[3] Winthrop, II. 174.

heretics use to do) concealed the same, till they spied out a fit advantage and opportunity to vent them, by way of question or scruple; and whereas divers of this kind have, since our coming into New England, appeared amongst ourselves, some whereof have (as others before them) denied the ordinance of magistracy, and the lawfulness of making war, and others the lawfulness of magistrates, and their inspection into any breach of the first table, which opinions, if they should be connived at by us, are like to be increased amongst us, and so must necessarily bring guilt upon us, infection and trouble to the churches, and hazard to the whole commonwealth, —

"It is ordered and agreed, that if any person or persons within this jurisdiction shall either openly condemn or oppose the baptizing of infants, or go about secretly to seduce others from the approbation or use thereof, or shall purposely depart the congregation at the administration of the ordinance, or shall deny the ordinance of magistracy, or their lawful right or authority to make war, or to punish the outward breaches of the first table, and shall appear to the Court wilfully and obstinately to continue therein after due time and means of conviction, every such person or persons shall be sentenced to banishment."[1]

[1] Mass. Rec., II. 85. — The next year (October 18, 1645) petitions were presented to the Court for a repeal of of this law; but they had no effect. (Ibid., 141; comp. 149.)

Just before the passage of the law, "a poor man of Hingham, one Painter, who had lived at New Haven and at Rowley and Charlestown, and been scandalous and burdensome by his idle and troublesome behavior to them all, was on a sudden turned Anabaptist; and, having a child born, he would not suffer his wife to bring it to the ordinance of baptism, for she was a member of the church, though he was not. Being presented for this, and enjoined to suffer the child to be baptized, he still refusing and disturbing the church, he was again brought to the Court, not only for his former contempt, but also for saying that our baptism was Antichristian; and in the open Court he affirmed the same. Whereupon . . . . . he was ordered to be whipped, not for his opinion, but for his reproaching the Lord's ordinance, and for his bold and evil behavior, both at home and in the Court. . . . . Two or three honest men, his neighbors, affirmed before all

Unhappily, the name *Anabaptist*, at this period, denoted a person very different from a mere religious errorist. It still revived the memory of those flagitious proceedings in Germany, which are referred to in this statute. The presence of those who bore it was still considered inconsistent with social security.[1] When they had risen to consequence in England, the existence of this sentiment was expressly recognized, while it was disapproved, in a declaration which the two Houses of Parliament pub-

1647. May 4. lished in their favor. "The name of *Anabaptism* hath indeed contracted much odium, by reason of the extravagant opinions and practices of some of that name in Germany, tending to the disturbance of the government and peace of all states; which opinions and practices we abhor and detest."[2]

It was of the law just quoted that Winslow had written, that it was designed always to remain a dead letter, unless some extraordinary occasion should arise for its enforcement.[3] And at the time when it was passed, and for

the company that he was of very loose behavior at home, and given much to lying and idleness, &c." (Winthrop, II, 174, 175.)

[1] "These men denied . . . . . the authority of magistrates, the lawfulness of taking oaths, and almost all the Christian doctrines, and were guilty of several gross enormities, such as polygamy, rebellion, theft, and murder. They seized the city of Munster, proclaimed John of Leyden their king, committed abundance of violence, and caused tumults and rebellions in several places. The extravagant doctrines and seditious practices of these men are everywhere charged upon the opposers of infant baptism, to render them odious, and a dangerous and seditious sect, not fit to be tolerated in any nation, whose principles have so bad a tendency, and whose beginning was so scandalous." (Crosby, History of the English Baptists, I. xxiii., xxiv.; see Vol. I. 487, note 2; Robertson, History of the Reign of Charles the Fifth, Book V.) The "superadding of Anabaptistry to Sans-culottism" (Carlyle, Cromwell, II. 70) alarmed the Magistrates of Massachusetts, as it soon after alarmed the Dictator of England.

[2] Crosby, History, &c., I. 196.

[3] Hypocrisie Unmasked, 101; see Vol. I. 489, note 2. — "The truth is," said the General Court, in their "Declaration" in November, 1646 (Hutch. Coll., 216), "the great trouble we have been put unto, and hazard also, by familistical and anabaptistical spirits, whose conscience and religion hath been only to set forth themselves and raise contentions in the country, did provoke us to provide for our safety. . . . . But for such as differ from us only in judgment,

several years longer, a clergyman who denied the lawfulness of infant baptism was at the head of Harvard College; and his successor held that immersion was essential to the rite. But the association between "Anabaptistry" and enmity to social order had not been broken up in the minds of the colonial rulers; nor had there been wholly wanting occurrences near at hand, to keep their apprehensions alive.[1] Five years after the law was passed, the General Court of Massachusetts was informed that at Seekonk, in the Colony of Plymouth, there had been "thirteen or fourteen persons rebaptized;" and the Court wrote to Plymouth, signifying their own sense of danger from "the infection of such diseases, being so near," and expressing their hope that it might be averted.[2]

Baptists in Plymouth. 1649. Oct 18.

There can be no doubt that many of the sixty-five citizens of Newport and forty of Portsmouth, who were disinclined to acknowledge the "commission" of Coddington and to come under his rule, were of the Baptist persuasion. It is impossible that so clear-headed a man as Clarke should have overlooked the relation into which he and his party were brought by the new state of things. Coddington's desire for a connection with the Confederacy was well known. Should he be permanently established in the local government according to the terms of his "commission," there could be no question that he would pursue that purpose. Perhaps he would even bring about a complete annexation to Massachusetts; but, should he do no more than become associated with her in the league of Colonies, it might be plausibly argued from the late application of Massachusetts to Plymouth, that, when she had acquired an excuse for remonstrating, she would not

..... and live peaceably amongst us, without occasioning disturbance, &c., such have no cause to complain; for it hath never been as yet put in execution against any of them, although such are known to live amongst us."

[1] See Vol. I. 517 – 521, 587 – 591.

[2] Mass. Rec., III. 173.

leave undisturbed the large body of Baptists on Rhode Island.

Here was furnished a vantage-ground for Clarke's resistance to the establishment of his rival's dominion. If Massachusetts was intolerant of Baptists, and if the execution of Coddington's scheme would place the Rhode-Island Baptists more or less under her control, the necessity of self-defence admonished them that, if possible, that scheme should be defeated. Clarke had known for seven years that his presence would not be allowed in Massachusetts. During that time a law had existed which his presence would affront. And indeed, seven years earlier yet, he had gone away under circumstances which made it next to certain that, had he not departed voluntarily, he would have been expelled.[1]

Fourteen years he was content to stay away from Massachusetts. In the fifteenth, he was prompted to go thither. The considerate reader may see a significance in the time of this movement. The precise day of Coddington's arrival from England with his "commission" is not known. But it seems to have been when his arrival was expected from week to week, or even from day to day, that Clarke undertook his journey. Clarke was a man of influence and authority. His personal character, his sacred office, and his newly acquired position of Assistant in the government,[2] placed him prominently before the people. He was a man of discernment and resolution, and felt no reluctance to expose himself to personal inconvenience for the furtherance of what he accounted a good public object. And he judged well, that, at this moment, some striking practical evidence of the hostility of Massachusetts to Baptists would be efficacious to excite his Rhode-Island friends to oppose the ascendency of Coddington.

[1] See Vol. I. 511.

[2] R. I. Rec., I. 209, 216, 220.

Clarke took with him two companions, one of whom, he could promise himself, would at the moment be almost as unwelcome a visitor as himself. John Crandall was so far a person of consideration that we find him to have sometimes served, in the General Court of the Colony, as commissioner (or Deputy) for Newport.[1] But Obadiah Holmes was a man of more importance. He was minister of the congregation which had occasioned the application from Massachusetts to Plymouth; and he had been recently presented by the Grand Jury of that Colony for a disorderly meeting with others on the Lord's day.[2] The three proceeded together to Lynn, ten miles on the further side of Boston. Their ostensible object was to visit a sick and aged friend, William Witter, who, "brother in the Church" of Baptists as he was, had been living in Lynn unmolested.

Visit of John Clarke and other Baptists to Massachusetts.

1650. Oct. 2.

The next day after the Rhode-Island visitors reached their destination "being the Lord's day, they concluded to spend it in religious worship." There had been no affectation of concealing their purpose, — perhaps it had been freely announced, — for, while Clarke was preaching to his "companions in the house, and to four or five strangers," two constables came in with a warrant from a Magistrate, Robert Bridges, of Salem. The officers took Clarke and his friends "to the alehouse, or ordinary," and, after dinner, to the meeting-house of the town. When the party entered, the congregation were standing at prayers. Clarke, at his first stepping over the threshold, "unvailed himself, civilly saluted them, turned into the seat he was appointed unto, put on his hat again, and so sat down, opened his book, and fell to reading." When the service was over, Clarke rose, and asked leave to "propose a few things to the

Their arrest.

1651. July 19.

[1] R. I. Rec., 409, 468, 480, 501.

[2] Plym. Rec., II. 162.

congregation." But he had not proceeded far before Mr. Bridges, who was present, "commanded him silence;" and the three were taken to the tavern for the night. The next morning they were brought before the same Magistrate, who sent them to the jail in Boston to await their trial for "exercising among themselves at a private meeting upon the Lord's day;" for "offensively disturbing the peace of the congregation at their coming into the public meeting;" for "saying and manifesting that the church of Lynn was not constituted according to the order of our Lord; and for such other things as should be alleged against them concerning their seducing and drawing aside of others." On the same day, the strangers made Witter another visit, and "in contempt of authority," — so it was alleged in their sentence, — "they being then in the custody of the law, did there administer the sacrament of the Supper to one excommunicate person, to another under admonition, and to another that was an inhabitant of Lynn, and not in fellowship with any church."[1]

For the misdemeanors above specified, and for what was considered an offensive announcement and vindication of their doctrines in Court, they were sentenced to pay fines; Clarke, a fine of twenty pounds, Holmes, of thirty pounds, and Crandall, of five pounds. As was usual at that time, when a person fined had not property to be levied upon, within the jurisdiction of the Court, they were further sentenced to be punished by whipping, as the alternative. In an altercation which followed between him and Governor Endicott, Clarke professes to have understood the Governor as offering him the opportunity of a discussion with the ministers; and he wrote a formal acceptance of the proposal. But, before the preliminaries were adjusted, — which it

Proceedings against them. July 31.

[1] Clarke, Ill Newes from New England, &c., 1–4.

is likely they never would have been, — "some friends" paid his fine, "contrary to his counsel;" an order was sent to the jailer for his discharge; and the next day, leaving a paper expressive of his readiness to hold a disputation whenever it should be allowed, he departed for his home.[1] His return to Newport with tidings of what had befallen him must have been a very few days before or after the arrival there of Coddington with his "commission." Aug. 11.

The jailer — probably acting for persons of more consequence than himself, who were willing to pay for getting Crandall out of the way without a scene — had given bond for his appearance at the Court to which the fine was to be paid. But Crandall professed to have misunderstood the time, and in his absence the jailer paid the bond.[2] Holmes was not to be so put off. He remained at Boston, enforcing, by the further hard treatment he received, the effect of the narrative which his more able friend was already detailing to their associates on Rhode Island. "There were," Holmes wrote, "that would have paid the money, if he would accept it;"[3] but that conclusion of the business did not suit his views. When he relates that the scourging which he endured "was so easy to him that he could well bear it, yea, and in a manner felt it not," and that he "told the Magistrates, 'You have struck me as with roses,'"[4] the reader ventures to hope that the executioner had been directed by his superiors to vindicate what they thought the majesty of the law at little cost to the delinquent. Two persons, one or both of whom had come from Newport to be present, were apprehended for accosting him with expressions of sym-

[1] Clarke, Ill Newes from New England, &c., 5 – 13. — "He was as good as thrust out, without pay or whipping." (Roger Williams to Winthrop, jr., in Mass. Hist. Coll., XXIX. 293.)

[2] Clarke, Ill Newes, &c., 15.

[3] Ibid., 19, in a letter which Holmes wrote to the Baptists of London, giving his account of the transaction.

[4] Ibid., 22.

pathy when the scene was over, and were sentenced to pay fines of two pounds each, under the penalty of scourging. But payment of their fines too, notwithstanding their remonstrance, was accepted from other persons by the Magistrates; and they were discharged.[1]

It may easily be believed that Clarke understood some of the bearings of this transaction better than the punctilious Bridges, who caused him to be apprehended, and even better than the austere Endicott, who pronounced his sentence. When he came to publish in England his account of it, he avowed one of his purposes to be, to show "how that spirit by which they [the rulers in Massachusetts] are led would order the whole world, if either brought under them, or should come in unto them."[2] When the first attempts of Coddington to institute his government had to be made in the midst of an agitation excited by the treatment which Baptists of Rhode Island had received at the head-quarters of the Confederacy of New England, he could not fail to see how embarrassing was the obstacle which had been raised in the path of his ambition. If he had had opportunity to communicate seasonably with the Magistrates of Massachusetts, one imagines that some way would have been found to deprive Clarke and his party of the argument with which they had armed themselves.

Mission of Clarke and Williams to England.

If, as is probable, arrangements were already in progress for Clarke to proceed to England, to make interest for a reversal of the recent action of the government in Coddington's favor, there was yet another strong reason for his being provided with a recent case of persecution of Baptists by Massachusetts. In fact, before the winter, he sailed upon that mission. Exertions were at the same time made to speed the hitherto fruitless plan of despatching Williams as the envoy of the mainland settlements. Warwick

[1] Clarke, Ill Newes, &c., 26–32. [2] Ibid., 1.

undertook to raise a hundred pounds for his outfit, and several persons in Providence engaged to contribute ten or twenty pounds each;[1] but, after all, he had to provide for himself by selling his property in the Indian country.[2] He embarked for England from Boston, his petition for leave to do so having been granted by the Magistrates.[3] Clarke either accompanied him, or joined him abroad.[4] Though acting for different parties, the business of both was to obtain a repeal of the order creating Coddington's government. Besides the attractiveness of having a principality of his own, and the hope of making an arrangement to associate the islanders with the Confederacy if he could come into a condition to treat for them as a separate jurisdiction, Coddington had wished to be released from his connection with the planters at Providence and Warwick, particularly the latter, on account of the hopeless disorder which he thought he observed in those settlements.[5] Clarke and his friends at Newport and Portsmouth had the urgent reasons that have been mentioned for repugnance to becoming connected with a league in which Massachusetts was the controlling power; while Providence and Warwick might apprehend that, losing what security they derived from their union with Rhode Island, they should more easily fall into the hands of one or the other of the two eastern Colonies.

Coddington had been able to overcome whatever difficulties confronted him, on his return, in instituting his government on the island.[6] The truncated Colony of "Providence Plantations," consisting now of only the

[1] R. I. Rec., I. 234.

[2] Letter in Knowles, Memoir, &c., 248.

[3] The petition and the vote upon it are in Mass. Hist. Coll., XXXIV. 471.

[4] I do not think it likely that Clarke came to Massachusetts to embark with Williams, considering the treatment experienced by him in that Colony only a short time before.

[5] Gorton, of Warwick, had been an extreme annoyance to him (see above, p. 119, note 4, p. 139, note 3), and Coddington had been one of the Magistrates who expelled Williams from Salem in 1636, though the transaction may have created no permanent unfriendliness.

[6] At the first meeting of the Commissioners after Coddington's return,

two towns on the mainland, held an election, and chose Samuel Gorton to be President. There is no record evidence that the regular elections for the Colony had been held in the preceding spring; but it is probable that they had been, and that Easton had been rechosen President, and had abdicated that place on Coddington's arrival; for the record of Gorton's election recites that Easton had "of late deserted his office."[1] At the next annual election, Gorton was succeeded as President by John Smith, of Warwick.[2] The following spring, the choice fell upon Gregory Dexter, of Providence,[3] during whose term of office the four towns were reunited, as will be hereafter seen.

Separation of Providence and Warwick from Rhode Island.

October.

1653. May 16

Williams and Clarke, leaving America after Gorton's election, reached London just before the breaking out of the Dutch war, and some months passed before they could secure attention. They understood that an interest connected with the other Colonies of New England was engaged to defeat them.[4] They relied on the support of the radical leaders, and especially sought the favor of Sir Henry Vane. Mainly

Revocation of Coddington's commission.

they wrote to him (September 13) to inquire what he meant to do with "notorious delinquents, who, making escape out of several of the Colonies, repaired to his island as to a city of refuge;" — whether he would "deliver up and return" them, or "receive and keep such under his protection, until they were pursued and impleaded in his courts." The latter course they "judged very obstructive to the ways of justice." (Records, &c., in Hazard, II. 196, 197.)

[1] R. I. Rec., I. 233.

[2] Ibid., 242. — The Court which chose Smith to be President passed an order "that no black mankind or white" should be "forced by covenant bond or otherwise to serve any man or his assigns longer than ten years, or until they come to be twenty-four years of age, if they be taken in under fourteen, from the time of their coming within the limits of this Colony; and at the end or term of ten years to set them free, as the manner is with the English servants." (Ibid., 243.)

[3] Ibid., 262.

[4] "Our second obstruction [the first being the Dutch war] is the opposition of our adversaries, Sir Arthur Hazelrig and Colonel Fenwick, who hath married his daughter, Mr. Winslow, and Mr. Hopkins, both in great place, and all the friends they can make in Parliament and Council, and all the priests, both Presbyterian and Independent." (Williams's Letter to Providence, April 1, 1653, in Knowles, 259.)

through his interest, as they believed,[1] they obtained from the Council of State a provisional revocation of Coddington's commission. They remained in England for the present, while William Dyer, who had accompanied or followed them, returned to the Colony with intelligence of their success.[2] 1652. December.

The settlements, even singly regarded, had now well-nigh lost what little cohesion they had ever attained. Gorton's administration had been signalized at Warwick by the degradation of his old friend, John Warner, from the place of Assistant; a censure which was soon followed by Warner's disfranchisement, and the laying of an attachment on his property, "upon suspicion of insufferable treachery against the April. June 22.

[1] Williams's letter, in Knowles, 258.

[2] R. I. Rec., I. 268, 288. — Dyer had been General Recorder and General Attorney of Providence Plantations while the charter of that government was in force. — The General Assembly wrote to Williams (October 28, 1652), recommending that he should obtain a commission as Governor for one year. (Ibid., 249.) But the proposal was disrelished by some of their constituents; and, after two months' reflection, it was retracted. (Ibid., 256.)

It was during this visit to England that Clarke published his "Ill Newes from New England," &c., quoted before; and that Williams published his "Bloody Tenent yet more Bloody," &c.; his "Hireling Ministry none of Christ's," &c.; and a devotional tract entitled "Experiments of Spiritual Health," &c. (See Vol. I. 415.)

It was at this time, also, that the correspondence occurred between him and the niece of Sir Edward Coke, which I have mentioned in another place (ibid., 405, note). His three letters are dated, "From my lodging in St. Martin's, near the shambles, at Mr. Davis's house, a shoemaker, at the sign of the Swan." With the first he sent to Mrs. Sadleir a copy of the "Experiments of Spiritual Health," which he says he wrote, while among the Indians, to his wife, and had just published with a Dedication to Lady Vane. His second letter, which was partly on controverted topics, was accompanied by a copy of the "Bloody Tenent," which Mrs. Sadleir returned without reading, "entreating him to trouble her no more in this kind." But it was not his practice to be so dissuaded. He wrote a third time with increased sharpness; and in her reply his old friend showed herself no mean mistress of his own fence. "It seems," she said among other courtesies, "you have a face of brass, so that you cannot blush. . . . . For the foul and false aspersions you have cast upon that King of ever-blessed memory, Charles the Martyr, ... none but such a villain as yourself could have wrote them." Of John Milton, now an *emeritus* controvertist and not yet author of Paradise Lost, Mrs. Sadleir writes to Williams: "For Milton's book that you desire I should

town;" and his wife was indicted for a felony.[1] Hugh Bewitt, of Providence, the General Sergeant and Solicitor-General of the Colony, was arraigned and tried for treason.[2] At Newport, in the absence of Clarke, Coddington was at hot feud with Dyer.[3] At Warwick there was new dissension,[4] and Smith and Greene of that place were summoned to Providence to "give answer for their writing and charge against the Court of Commissioners."[5] The prospect of the continuance of any government in the settlements was not brilliant. The prospect of their union under one government of their own was dark. At "an Assembly of the Colony at Portsmouth," held for the purpose of arranging such a union under the authority lately obtained by Williams, it was "ordered, that all officers, that

December.

1653. March 1.

read, if I be not mistaken that is he that hath wrote a book of the lawfulness of divorce; and, if report says true, he had at that time two or three wives living. This perhaps were good doctrine in New England, but it is most abominable in Old England. For his book that he wrote against the late King that you would have me read, you should have taken notice of God's judgment upon him who struck him with blindness; and, as I have heard, he was fain to have the help of one Andrew Marvell, or else he could not have finished that most accursed libel. God has begun his punishment upon him here; his punishment will be hereafter in hell. . . . . I have also read Taylor's 'Liberty of Prophesying.' I say it and you would make a good fire." "Trouble me no more with your letters, for they are very troublesome to her that wishes you in the place from whence you came."

Writing to Winthrop, soon after his return, with some account of his visit to England, Williams says: "The Secretary of the Council (Mr. Milton), for my Dutch I read him, read me many more languages." (Mass. Hist. Coll., XXX. 4.)

[1] Some of the charges against John Warner on this occasion have been mentioned (see above, p. 121, note 3). Others were as follows: "First item; for calling the officers of the town rogues and thieves with respect to their office. Item; for his contempt in not appearing before the town now met, being lawfully [cited?] by a summons from the officer with two magistrates' hands to it. Item; for his employing an agent to write to the Massachusetts, thereby going about to enthrall the liberties of the town, contrary to the privileges of the town, and to the great indignity of the honorable State of England, who granted the said privileges to us." (Extract from the Warwick records in Arnold, History of Rhode Island and Providence Plantations, I. 287, 288; comp. 241.)

[2] R. I. Rec., I. 251.

[3] Ibid., 219.

[4] Ibid., 247.

[5] Ibid., 262, 263.

were in place when Mr. Coddington's commission obstructed, should stand in those places, to act according to their former commissions." [1] But Coddington, being applied to for "the statute book and book of records," replied that "he dared not lay down his commission, having no order thereto, nor had he seen anything to show that his commission was annulled." [2] The mainlanders and the islanders could not take the preliminary step of agreeing upon a place where they should meet to "receive the orders from the Right Honorable the Council of State." The northern settlements said that, for the present purpose, they represented the legal Colony, having continued the charter government of the "Providence Plantations." The southern towns maintained that, for the present purpose, they were the Colony, since they contained the larger number of its people. Neither party would give way. On the one hand Newport and Portsmouth, on the other Providence and Warwick, — each pair, in the absence of the other, professing to act for the whole, — chose a board of magistrates to administer the colonial government. Each board was acknowledged only within the limits of its own constituency; and so, instead of relief having been obtained by the last action in London, a new complication was introduced.

Obstacles to reunion.

As if the Rhode-Islanders, in this imbecile condition, had not enough upon their hands, they undertook to constitute themselves a party to the war between the English Commonwealth and the Dutch. They set up privateering, issued commissions to three officers for service against New Netherland, and instituted an Admiralty Court for the trial of prizes.[3]

Rhode Island privateering. 1653. May 24.

[1] R. I. Rec., I. 240.

[2] Ibid., 265; comp. 259, 260, 269. — After much inquiry, I cannot learn that the act of revocation of Coddington's "commission," either in the original or in a copy, exists in Rhode Island; nor does it, or any record of its being granted, appear in the Journal of the *Council of State*. See below, p. 557.

[3] Ibid., 266; comp. 261. — Our old

The colonial rulers chosen by Providence and Warwick condemned this measure, and passed a vote disfranchising its friends.[1] Captain Hull, who held one of the commissions, interpreted it with such latitude that he captured a French ship. Captain Baxter, a Rhode-Island officer, subsequently employed, seized a vessel belonging to Barnstable, in Plymouth Colony.[2] The same commander took a Dutch prize into Fairfield, whither he was pursued by two Dutch armed vessels,[3] who proceeded to blockade the port. The distracted community was fertile in ways of being vexatious to its neighbors.

The generous statesman who had flattered himself that his intervention had secured to it a new tranquillity was amazed at the infatuation of its turbulent people. "How

1654. Feb. 8. is it," wrote Sir Henry Vane, "that there are such divisions amongst you, — such headiness, tumults, disorders, injustice? The noise echoes into the ears of all, as well friends as enemies, by every return of ships from those parts. Is not the fear and awe of God amongst you to restrain? Is not the love of Christ in you, to fill you with yearning bowels one towards another, and constrain you not to live to yourselves, but to Him that died for you, yea, and is risen again? Are there no wise men amongst you; no public, self-denying spirits,

friend, John Underhill, who was not particular as to the colors under which he served, and who had been getting himself into trouble with his recent masters in New Netherland (Brodhead, I. 556), was one of those officers, and William Dyer was another. The commission constituted "Captain John Underhill commander-in-chief upon the land, and Captain William Dyer commander-in-chief at sea, yet to join in counsel, to be assistant each to other, for the propagating of the service premised." — "Mr. Dyer, ... being ruined by party contentions with Mr. Cottington, ... hopes for a recruit to himself by other men's goods; and, contrary to the State's intentions and expressions, plungeth himself and some others in most unnecessary and unrighteous plundering, both of Dutch and French, and English also." (Letter of Providence to Sir Henry Vane, in Knowles, Memoir, &c., 269.) — Coddington and Dyer were formally reconciled to each other, May 14, 1656. (MS. Records of R. I., p. 39.)

[1] R. I. Rec., I. 266, 270, 271.

[2] Records, &c., in Hazard, II. 285–287, 293–295.

[3] Ibid., 227.

that, at least upon the grounds of public safety, equity, and prudence, can find out some way or means of union and reconciliation for you amongst yourselves, before you become a prey to common enemies, especially since this State, by the last letter from the Council of State, gave you your freedom, as supposing a better use would have been made of it than there hath been? Surely when kind and simple remedies have been applied and are ineffectual, it speaks loud and broadly the high and dangerous distempers of such a body, as if the wounds were incurable."[1]

This letter was brought by Williams to New England. Landing at Boston, he produced a letter of safe-conduct from twelve members of the Council of State,[2] and was permitted to proceed without molestation to his home. Distressed to find, on his arrival there, that, though the forms of a general election had lately been gone through,[3] no actual union was made or prepared for, he addressed to his neighbors a letter of remonstrance. He reproached them for the misconduct by which they had brought on themselves the reproach of being "a licentious and contentious people,"[4] and urged them, with the eloquence almost of despair, to find some way to a settlement, if they would not seem "to have disfranchised humanity and love." The evident necessity of the case lent force to his advice. A meeting of "Commissioners" for the four towns — six for each — was arranged. They voted to restore the government as it had been constituted seven years before, under the patent obtained by Williams, at the same time ratifying the proceedings which, during its suspension, had been had by the two separate colonial authorities. An election was ordered,

Return of Williams to America. June.

Aug. 31.

Sept. 12.

[1] R. I. Rec., 285.
[2] Ibid., 290.
[3] Ibid., 273.
[4] Knowles, Memoir, &c., 266.

at which Williams was chosen President, and a prospect of better things seemed to be disclosed.[1]

Reunion of the four towns.

A list of freemen, made about this time, exhibits two hundred and forty-seven names. Of these, one hundred and sixty-seven belonged to the island, Newport having ninety-six, and Portsmouth seventy-one. Of the residue, Providence numbered forty-two, and Warwick thirty-eight, Newport alone being considerably more populous than both these settlements together.[2] The aggregate population may have amounted to twelve hundred. The Colony was rounded by the adjustment of the dispute, of sixteen years' standing, respecting Pawtuxet. It had been ordered, when a government was organized under the patent for "Providence Plantations," that the planters at Pawtuxet should "be left to their choice, whether they would have Providence, Portsmouth, or Newport over them."[3] But the Pawtuxet people desired to attach themselves to no one of those towns. They continued to consider themselves under the jurisdiction of Massachusetts. Two years after, under the Presidency of John Smith, the General Court of Providence "ordered that a messenger be sent to Pomham and the other sachem, to require them to come to this Court, and that letters be sent to Benedict Arnold and his father, and the rest of Pawtuxet, about their subjecting to this Colony."[4]

1647. May 19.

1649. May 22.

The Pawtuxet people reported this to the General Court of Massachusetts, who warned Smith's government to desist from troubling them.[5] To clear her claim, Massachusetts then applied to Plymouth; and,

1650. May 23.

[1] R. I. Rec., I. 276.

[2] Ibid., 209 – 302.

[3] Ibid., 152.

[4] Ibid., 218.

[5] Mass. Rec., III. 196. — Massachusetts had first (July, 1649) asked the advice of the Federal Commissioners respecting the question of her jurisdiction, and had been advised by them to settle it with Plymouth "by a neighborly and friendly treaty." (Records, &c., in Hazard, II. 144.)

receiving from that Colony a formal surrender of its title to the lands occupied by Arnold and his friends,[1] she proceeded to annex them to her county of Suffolk.[2] Providence undertook to collect taxes at the settlement, and was threatened by the General Court of Massachusetts, in a letter to Williams, which declared that, if the pretension was not abandoned, that government "intended to seek satisfaction in such manner as God should put into their hands."[3]

June 7.

1651. May 22.

The Commissioners from Plymouth now disputed the legality of the earlier proceedings of their Colony in making the cession to Massachusetts; and the question became further perplexed.[4] Once more the Pawtuxet people were molested by their neighbors with a claim for taxes. But Massachusetts was getting tired of the dispute, and the original purpose of it had long ago been answered. She merely replied by a protest against the claim, and by a permission to the Pawtuxet people to recover compensation in her courts, if they could find within her jurisdiction any property of those by whom they were aggrieved.[5] Their number was reduced by removals, till only four heads of families remained. Two desired to attach themselves to the new government; and two, William Arnold and William Carpenter, weary of the annoyances which were

1653. June 2.

1655. November.

[1] Mass. Rec., III. 198; Plym. Rec., II. 158.

[2] Mass. Rec., III. 201, 202. — The Federal Commissioners, being informed of this cession at their next meeting (September 5, 1650), advised, for the sake of conciliating the Warwick people, that Plymouth should retract it, and assume jurisdiction of the territory. (Records, &c., in Hazard, 153, 154.) Massachusetts readily acceded to that arrangement (Mass. Rec., III. 216); but Plymouth declined a business likely to be costly and troublesome. (Plym. Rec., II. 171; Records, &c., in Hazard, II. 153; comp. 143.)

[3] Mass. Rec., III. 228.

[4] Records, &c., in Hazard, II. 199–203. — The business was revived at this time by a notice to the Commissioners, from Gorton and his friends, of their intention to make another application to Parliament. (Ibid., 198; see also Winthrop, II. 251, 252.)

[5] Mass. Rec., IV. (i.) 149.

always so near, while protection had to be invoked from such a distance, professed their willingness to do so, but for the fear of offending Massachusetts.[1] This imaginary, if not pretended, scruple was easily removed. Their petition, "in behalf of themselves and all the inhabitants of Pawtuxet, for a full discharge from their submission," was cheerfully granted by the General Court of Massachusetts.[2] Plymouth did not care to revive her claim. They were received as citizens of "Providence Plantations;"[3] and, with a view to prevent the recurrence of such difficulty as they had occasioned, a penalty of forfeiture of estate was denounced by that government against whosoever should "put his lands, or any parts thereof, that are within this Colony's bounds, under the government of any other jurisdiction, or endeavor actually to bring in any foreign power to govern in any part or parts of this Colony's precincts."[4]

1658. May 26.

Nov. 2.

When it had at last accomplished a political union, the Colony was not yet prepared to enjoy the sweets of peace and order.[5] "A tumult and disturbance" took place at Providence, "under pretence of a voluntary training."[6] A reforming citizen addressed a letter to the town, maintaining "that it was blood-guiltiness, and against the rule of the Gospel, to execute judgment upon transgressors against the private or public weal."[7] It was found judicious to provide that, "in case

Continued disorder. 1654–5.

[1] Williams's letter to "The General Court of Magistrates and Deputies assembled at Boston," in Knowles, Memoir, &c., 285. In this letter the harassed President of Rhode Island says: "Honored Sirs, I cordially profess it before the Most High, that I believe if not only they [the Pawtuxet people], but ourselves and all the whole country, by joint consent, were subject to your government, it might be a rich mercy."

[2] Mass. Rec., IV. (i.) 333.

[3] R. I. Rec., I. 339.

[4] Ibid., 401.

[5] It is gratifying to know that Williams was now allowed to come to Boston. There is a letter from him to Winthrop written there, May 17, 1656. (Knowles, 292.) The vote in his favor is in the Mass. Archives, XXX. 62.

[6] Staples, Annals of Providence, 113

[7] Knowles, Memoir, &c., 278.

any man should strike another person in the Court, he should either be fined ten pounds or be whipped, according as the Court should see meet;" [1] 1655. June 30. and, because the Colony was "rent and torn with divisions," it was "ordered that if any person or persons should be found . . . . . to be a ringleader or ringleaders of factions or divisions, he or they should be sent over at his or their own charges as prisoners, to receive his or their trial and sentence at the pleasure of his Highness and the Lords of the Council." [2] Coddington was suspected of furnishing guns to the Indians; [3] and was required to give assurance of his fidelity to the government by publicly uttering and signing the following declaration: "I, William Coddington, do freely submit to the authority of his Highness in this Colony as it is now united, and that with all my heart;" [4] — a submission which scarcely procured him admittance to a seat in the Legislature when he was elected as a Commissioner from Newport.[5] William Harris had been one of Williams's earliest associates.[6] He was disposed to follow out his master's doctrine to its last results. His ardor occasioned a fierce quarrel between them. He "sent his writings or books to the main and to the island, against all earthly powers, parliaments, laws, charters, magistrates, prisons, punishments, rates, yea, against all kings and princes, under the notion that the people should shortly cry out, '*No lords, no masters!*' and in open Court protested, before the whole Colony Assembly, that he would maintain his writings with his blood." [7] Williams caused him to be formally arraigned for high treason, and he was laid under heavy bonds for good behavior till such time as the Colony should be 1656. March 11. 1657. May 19.

[1] R. I. Rec., I. 321.
[2] Ibid., 319.
[3] Ibid., 332.
[4] Ibid., 327.
[5] Ibid., 328.
[6] See Vol. I. 422, note 2.
[7] Williams, "George Fox digged out of his Burrowes," 20; comp. 14.

instructed from England how to proceed with him.[1] At the annual election, which took place at the same time, Williams was superseded as President by Benedict Arnold, of Pawtuxet,[2] the young man who, as interpreter for the Indians, had been so disliked by the party of Gorton.[3] The deposition of Williams may not unreasonably be interpreted as indicating the popular feeling respecting the strictness with which he was proceeding against Harris. He was never again employed in any office higher than those of Assistant, and of Commissioner (or Deputy) from Providence. Nor did Coddington, Coggeshall, or Easton, for years afterwards, reach a higher station. For the present, new men — and men commonly cooler, though younger — were to administer the affairs of the Colony on Narragansett Bay.

A circumstantial account of these transactions is justified by the exhibition it affords of the position and temper of the several parties concerned in them. Plymouth, the nearest neighbor of the Narragansett settlers, was unaspiring and poor. When she preferred to have Massachusetts undertake the management of Pawtuxet, and finally desisted from her claim upon that country, her course accorded as well with the scantiness of her means as with the moderation of her aims. She had felt obliged to decline a proposal from her confederates to take a part in a trade to be conducted on joint account with the Indians, by reason, as her vote expressed it, "of such a disproportion in our estates to theirs, and so many thousands

[1] R. I. Rec., I. 361, 364. — He "published to all the towns in the Colony dangerous writings, containing his notorious defiance to the authority of his Highness the Lord Protector, &c., and the High Court of Parliament of England, as also his notorious attempts to draw all the subjects of this Colony into a traitorous renouncing of their allegiance and subjection, ... and now openly in the face of the Court, declared himself resolved to maintain the said writings with his blood." (Williams's warrant for the arrest of Harris, in Arnold, Hist., &c., I. 263.)

[2] R. I. Rec., I. 353.

[3] See above, p. 123.

required therein, the which we are not able to reach unto;"[1] and her poverty and her uprightness appear at once in the frugal, but considerate, provision from time to time made for her magistrates.[2]

Plymouth was careful to keep on good terms with the rising power in England. Probably it was because the royal authority was recognized in the oaths of office which had been in use, that, in the summer after the King's execution, the freemen unanimously concluded to continue the existing administration in place, without a new choice; since, said they, "things are much unsettled in our native country in regard of the affairs of the state, whereby the Court cannot so clearly proceed in election as formerly."[3] 1649. June 6.

Friendliness of Plymouth to the Parliament.

When the war in England had been closed by the battle of Worcester, "the Court desired that a public day of thanksgiving throughout the Colony might be observed therein, to give thanks for the great victories granted to the army in the behalf of the Parliament and Commonwealth of England."[4] 1652. March 2.

On receiving intelligence of the breach with Holland, Plymouth immediately made efficient and expensive military preparations,[5] which, "in obedience to his Highness the Lord Protector," were still further prosecuted on the arrival of the expedition destined to act against New Netherland.[6] 1653. April 6.

An order was issued "for the pressing of the number 1654. June 20.

[1] See above, p. 152, note 1.

[2] Plym. Rec., III. 51, 121. — Magistracy in those days was an inartificial thing in Plymouth. In 1652 and 1653, Governor Bradford was invested with power "to choose a Deputy to serve in his room." (Ibid., 7, 30.) In 1655, after his election, he "propounded some particulars as reasons wherefore he was not willing to accept his place unless some speedy course were taken for the redress of the same." They were redressed, and he then accepted office. (Ibid., 80, 81.) In 1657, the Court allowed the Governor ten pounds "for a man to attend upon him in his journeys," and made provision "to accommodate him with a private room." (Ibid., 121.)

[3] Ibid., II. 139.

[4] Ibid., III. 5.

[5] Ibid., 23 – 26; comp. 28 – 30.

[6] Ibid., 53 – 57.

of fifty men to be taken out of the several towns." They were "to go forth under the command of Captain Miles Standish." Provisions were collected for a campaign of two months; and "Captain Thomas Willett was ordered speedily to repair unto the Commissioners in chief, who were at present at the Massachusetts, to accompany them unto the Manhatoes, and to be assistant unto them in advice and counsel."[1]

Territory of Plymouth on the Kennebec.

The thanksgiving of Plymouth for the successes of the Parliament was nearly contemporaneous with an application of that Colony to the Council of State for a confirmation and enlargement of its property on the Kennebec.[2] The application was granted, and was accompanied with a requisition "that

[1] Plym. Rec., III. 54, 55; comp. Hutch. Coll., 254. — Willett had been a resident of New Amsterdam. See above, p. 310; comp. Vol. I. 163.

[2] January 26, 1652, it was ordered by the Council of State "that Mr. Holland, Lieutenant-General Fleetwood, Mr. Gurdon, Mr. Love, Mr. Carew, and Sir Arthur Hazelrigge, or any three of them, be appointed a committee to take into consideration the paper given in by Mr. Winslow concerning New England, and to report their opinion to the Council thereon; and Mr. Holland was desired to take care thereof." What that paper was, I do not know; but March 8, 1652, Winslow, in behalf of Bradford, presented to the Council of State a petition for a grant of "the whole river of Kennebec, with all the parts thereof, with the government of the same;" and the Council recommended to Parliament to make the grant. (Journal of the Council of State; see also Vol. I. 230, 523, 529.) — Winslow had hoped to obtain a Parliamentary patent for Plymouth, but had become discouraged. April 17, 1651, he wrote from London: "Yesterday, as I am informed, Mr. Coddington had something done for him at the Council of State, which I believe was his patent confirmed; for the truth is, since I perceived by letters from Plymouth that, after another year's warning, nothing is likely to be done in reference to the old order of Lords and Commons sent over in 1647, as I take it, I looked upon it as a vain thing to strive against the stream, whereas indeed that was the main material objection above a twelvemonth since, which I could not answer, that we had such an order, but never looked after the performance thereof, nor made any return upon it. And if I could not then answer it, how much less after another year, if not eighteen months' expiration. But the will of the Lord must be done." (Hutch. Coll., 229.) Coddington's "commission" interfered with the patent which Winslow wished to obtain for Plymouth; and the "order of the Lords and Commons" which had been neglected was, I suppose, that which had been issued in Gorton's favor. (See above, p. 206; Winthrop, II. 281.)

such due course should be taken as that the English residing in the said river should be orderly governed, and carried on in a way of peace for their common good." Hereupon Thomas Prince was despatched to the river to organize a local administration. He was to require the persons dwelling there, on pain of expulsion, to take an oath of fidelity to the Commonwealth of England and to the government of Plymouth; which done, they were permitted to "act in the choice of such as might be assistant to the Commissioner in making and executing such orders as might be thought fit to be established amongst them."[1] In a few weeks Prince was able to report that he had executed his commission, and that a code of laws had been adopted, and local officers appointed, the chief of whom was Thomas Purchas, of Pejepscot, who had willingly made a surrender of his settlement.[2] From the trade on the Kennebec, which was farmed out, Plymouth derived a revenue, that was now no more than thirty-five pounds a year.[3]

1654. March 7.

June 20.

1655-1658.

In the month made memorable by the death of Cromwell, a second revised collection of the laws of Plymouth was promulgated by the authority of the General Court.[4] It was prefaced by a declaration "that no act, imposition, law, or ordinance be made or imposed at present or to come, but such as shall be made and imposed by consent of the body of the Asso-

Revision of the laws, and state of the churches.

[1] Plym. Rec., III. 43-45.

[2] Ibid., 57-61; comp. 63. — Probably the transfer by Purchas of his plantation from Massachusetts (see Vol. I. 593) to Plymouth was silently as well as gladly acquiesced in by the former Colony, to which at present the care of an isolated settlement at such a distance would be merely a burden.

[3] It had formerly been larger. A lease given in June, 1652, (Williamson, I. 365,) for fifty pounds' yearly rent, had just expired. Game and furs had become less abundant; and the outpost was too remote from the seat of its government to be kept in good order. Bradford, Prince, and Willett took a lease in 1655, for seven years. (Plym. Rec., II. 96, 127, 144, III. 13, 87, 95, 106.)

[4] Plym. Rec., III. 143; comp. 115, 117.

ciates or their representatives legally assembled, which is according to the free liberty of the State of England."[1] The freemen of the eleven towns which constituted Plymouth Colony were only about three hundred in number.[2] No person could become an inhabitant without the permission of the municipal authorities; and the right of expulsion was freely exercised.[3] Apprenticeship of young persons of both sexes was common, on condition of competent provision for their support and outfit; and the service of negroes was not unknown.[4] In Plymouth the churches were not so well provided with a ministry, and not so flourishing, as in the other confederate Colonies. The General Court repeatedly took measures to stimulate the towns to their duty in this respect; and, on one occa-

1656. Sept. 2. sion, Massachusetts even went so far as to make the remissness of Plymouth the subject of a representation to the Federal Commissioners.[5] As to religious toleration, the General Court held that "due respect was to be had unto those that were really conscientious, though differing and dissenting in some smaller matters;" but that "if any really, or in pretence of conscience, should profess that which eminently tendeth to the inundation of civil state and violation of natural bonds,

[1] Brigham, Compact, &c., 107.

[2] Plym. Rec., VIII. 197. The exact number was 305.

[3] Ibid., III. 122.

[4] Ibid., 27.

[5] "Having heard some time since that our neighbor Colony of Plymouth, our beloved brethren, in a great part, seem to be wanting to themselves in a due acknowledgment and encouragement to the ministry of the Gospel, so as many pious ministers of the Gospel have (how justly we know not) deserted their stations, callings, and relations, our desire is that some course may be taken as that a pious, orthodox ministry may be restated amongst them." (Hutch. Coll., 283.) The Commissioners earnestly expressed their sense of the obligation of their several governments to take care for the maintenance of a sufficient ministry (Records, &c., in Hazard, II. 348, 349); and the Colony of Plymouth, emboldened by the advice, and impatient of the stigma, took up the business with vigor. (Plym. Rec., III. 81, 155.) The fact is, that Massachusetts was a field of action too near and too attractive to admit of the retention of ministers of high talent in Plymouth. Chauncey and Norton had both served Plymouth churches; but men like them were wanted in a larger place.

or the overthrow of the churches of God or of his worship, here prudence was to be improved in the enacting and execution of laws."[1]

The protracted disputes with the Dutch and the Indians, which agitated the two youngest members of the Confederacy, had borne especially hard upon New Haven. When that Colony despaired of the co-operation of Massachusetts in active hostilities against New Netherland, "the Court saw themselves called to seek for help elsewhere, and could conclude of no better way than to make their addresses to the State of England." At their solicitation, Connecticut joined in the movement; and Governor Haynes was desired to write to Mr. Hopkins, who had lately gone to England, to further the application by his interest with the Lord General and with other leading men.[2] Mr. Astwood, a distinguished citizen of New Haven, and lately a Federal Commissioner, was appointed to make personal solicitation to Cromwell.[3] The intelligence of the arrival at Boston of the expedition under Sedgwick and Leverett gave the liveliest satisfaction to the people of New Haven. They immediately despatched Leete, a Magistrate, and Jordan, a Deputy, to congratulate the commander, and consult with him on a course of proceeding. The messengers were to assure him that they intended, "according to their ability and means, to afford their best assistance, both in men and provisions," and that, "if the Massachusetts should upon any consideration refuse or delay, yet they would readily join with the other two Colonies, or with Connecticut; yea, this jurisdiction alone, if others differed in judg-

Expedition against New Netherland. 1653. Oct. 12.

June 9.

[1] Brigham, Compact, &c., 107.

[2] N. H. Rec., II. 37. — It is probable that Haynes wrote accordingly. But the Connecticut records (I. 248, 249) mention only letters from "the General Court to Colonel Fenwick, Mr. Hopkins, and Colonel Haynes" (the Governor's son).

[3] In Thurloe's State Papers (I. 564) is a letter from Mr. Hooke, colleague of Davenport, introducing Astwood to the Protector.

ment, would improve the utmost of their ability to manifest their due submission to the authority of England, and readiness to a service wherein all New England, at least the western Colonies, were so much concerned." While waiting an answer to their message, the Colony ordered frequent trainings, laid an embargo on provisions, set shoemakers, bakers, and armorers at work, provided relays of horses for the conveyance of orders, and levied a rate of two hundred pounds.[1] On receiving information from their agents "that the design against the Dutch was like to go on," they raised, officered, and provisioned a force of a hundred and thirty-three men, pressed vessels for transports, and appointed a day in the next week, to "be set apart by all the plantations in the jurisdiction to seek God in an extraordinary way in fasting and prayer for a blessing upon the enterprise abroad, and for the safety of the plantations at home."[2] Before the appointed fast-day, news came that peace was made. The affrighted Dutch Governor sent post-haste to New Haven to inquire whether it was true; and Eaton — with no satisfaction we may presume — despatched to him a copy of the proclamation, which allowed New Netherland to be a thorn in the side of New England for a while longer.

June 23.

July 5.

Greenwich, on the Dutch border, had all along been an occasion of trouble. Seven years after Patrick had caused it to be annexed to New Netherland,[3] it had been ceded back to New Haven by the boundary treaty made with Stuyvesant.[4] Disturbances which occurred in that settlement were complained of by the Deputies of Stamford to the General Court, which caused a message to be sent to the inhabitants, "requiring them, according to the justice of the case, to submit themselves to the jurisdiction" of New Haven.[5] At the next

Re-annexation of Greenwich. 1655. May 30.

[1] N. H. Rec., II. 100 – 104.
[2] Ibid., 107 – 110.
[3] See Vol. I. 601.
[4] See above, p. 310.
[5] N. H. Rec., II. 144. — Perhaps it was in relation to this business that

annual Court of Elections, the people of Greenwich made an answer to the demand, with which "the Court declared themselves much unsatisfied," adding a threat, that, unless it were immediately amended, they would seize some of the principal offenders and bring them to New Haven "to answer their contempt." After some little delay, the menace had its desired effect, and Greenwich sent in its formal submission.[1] The seven towns now comprehended in the Colony of New Haven gave it the utmost extent that it ever attained.[2]

1656. May 28.

Oct. 6.

The people of that Colony were of opinion that, in order to maintain the strict accountability of public officers, it was fit to make them stipendiaries of the community which they undertook to serve; and the Governor, though the richest man among them, and as generous as rich, received an annual salary of fifty pounds.[3] Their sense of the importance of liberally educating their youth was such, that, before their earliest town was ten years old, it had projected the establishment of a College.[4] It "raised above three hundred pound to encourage the work," and Milford pledged another hundred.[5] The scheme proved to be premature; and, for the present, these distant plantations had to expend their judicious bounty on the College of the older Colony, to which their Governor did not fail frequently to invite their attention, reminding them to send their yearly contributions of corn.[6] Before the first English child born in New Haven had attained his majority, "it was propounded that the Court

Education in New Haven. 1655.

1657. May 27.

New Haven, at this Court, raised its first troop of cavalry. (Ibid., 173.)

[1] Ibid., 176, 216; comp. 185.

[2] Greenwich, however, never had a separate representation in the General Court of New Haven. It was reckoned as part of Stamford.

[3] N. H. Rec., II. 15, 99.

[4] See above, p. 237. In 1651 or 1652, Mr. Goodyear offered to promote the object by the gift of his house, which was one of the best in the town.

[5] N. H. Rec., II. 141, 142.

[6] Ibid., 149, 210, 225, 311, 318, 354, 357, 382.

would think of some way to further the setting up of schools for the education of youth." Still earlier the town had "provided that a schoolmaster should be maintained at the public charge, and Milford had made provision in a comfortable way;" and the imitation of their good example was now enforced by a colonial "order, that in every plantation where a school was not already set up and maintained, forthwith endeavors should be used that a schoolmaster might be procured that might attend that work; and what salary should be allowed unto such schoolmaster for his pains, one third part should be paid by the town in general as other rates, the good education of children being of public concernment."[1]

The tranquillity which succeeded in New Haven to the preparations for Dutch and Indian wars had given opportunity for the completion of a body of laws. Agreeably to a request which the Court had made to the Governor some time before, he presented a compilation of such orders of earlier date as he considered "most necessary to continue." The Court approved his digest, and directed it to be printed, "with the Articles of Confederation also." The Governor was, however, first "to send for one of the new books of laws in the Massachusetts Colony, and to view over a small book of laws newly come from England, said to be Mr. Cotton's, and to add to what was already done as he should think fit;"[2] and "the Elders of the jurisdiction" were to "have the sight of them for their approbation also."[3] In the

Collection of laws.

1655. May 30.

[1] N. H. Rec., II. 219, 220. — It may be mentioned here that *Townsmen* (Selectmen) were chosen in Hew Haven for the first time, Nov. 17, 1651. (Ibid., 581.)

[2] This must have been Aspinwall's edition of Cotton's book. See above, p. 25.

[3] N. H. Rec., II. 146; comp. 154. — The manuscript was sent to Mr. Hopkins in London, to be printed. The next summer the Magistrates received from him five hundred copies. They had cost ten guineas, for which the several plantations assessed themselves. Mr. Hopkins at the same time sent "six paper books for records for the jurisdiction," with a present from himself of "a seal for the Colony." (Ibid., 186.) A copy of the original impres-

Code thus framed, the first Article — which is in the nature of a Bill of Rights — was copied from the Code of Massachusetts; and the list of capital offences was the same, with the additions of incest, and of violence, or outrageous insult, or stubborn disobedience, to parents.[1] The Code contains none of the provisions known in New-England fable under the name of *Blue Laws*.

A system of written law for Connecticut bears an earlier date. Within four years after the appointment of

sion of the laws, in the library of the American Antiquarian Society, is the only complete copy now known to exist. It probably belonged to Davenport. There is an imperfect copy in the Boston Athenæum. The title of the book is, "New-Haven's Settling in New England, and some Laws for Government, published for the Use of that Colony; though some of the Orders intended for Present Convenience may probably be hereafter altered, and, as need requireth, other Laws added." The Titles are arranged in alphabetical order. The Articles of Confederation were now probably printed for the first time. A reprint of the collection is appended to the second volume of Mr. Hoadly's excellent edition of the New-Haven Colonial Records.

The chasm in the Records of New Haven Colony between April, 1644, and May, 1653, leaves us in uncertainty whether the code of 1656 was the first essay of the kind. I have suggested (see above, p. 236; comp. N. H. Rec., II. iv.) the probability that some digest of laws for New Haven was made about the year 1648 or 1649. It appears in 1655 (N. H. Rec., II. 146), that the Governor had been "formally desired to view over the laws," &c.; but as, in the full record of the two next preceding years, there is no appearance of an expression of that desire, it was probably expressed earlier, and not improbably acted on, to some extent. Massachusetts had had a printed code since 1648 (see above, p. 260); and in some particulars, at least, its provisions were adopted, within a year afterwards, by New Haven. (N. H. Rec., I. 464, 494, 499; comp. II. 571, 576.)

[1] N. H. Rec., 571, 576–578, 593; see above, p. 29. — Unnatural lust had been punished by capital execution in New Haven, as it had hitherto been in no other Colony but Plymouth. Considerations of the methods of interpreting Scripture, and of the theological theories, which were in credit, will suggest explanations of the morbid vigilance expressed in the laws in respect to diabolical and to bestial crimes. In those days, New-England men meant as they professed. Their convictions, covering the whole length and breadth of their creeds, laid a wide basis for imagination and emotion; and the honest, *bonâ fide*, contemplative believer in that theory of man's nature which is set forth in the Westminster Catechism, logically understood himself to be living in the midst of crimes of dark and mysterious enormity. All but saints were to him moral lepers; and he easily accepted evidence, were it better or worse, of the breaking out of the disease in the most transcendently odious forms.

Ludlow to superintend that business,[1] such existing Orders as had the character of permanent statutes had been arranged to the satisfaction of the General Court; and they were accordingly "concluded and established."[2] The titles are disposed in alphabetical order,[3] as in the Code of New Haven; and the Bill of Rights which is prefixed is copied from that which was first adopted in Massachusetts. To the list of capital offences were now added those of smiting, cursing, or stubbornly disobeying, father or mother.

1650. May.

Connecticut increased more rapidly than any other of the confederate Colonies, except Massachusetts. The settlement at the mouth of Pequot River was acquiring importance, and the General Court made further arrangements for its government;[4] and, in consideration of its being "a fit and convenient place for future trade," and "that they might leave to posterity the memory of that renowned city from whence they had their transportation," they gave it the name of *New London*.[5] The buildings and works at Saybrook were restored at the public charge.[6] The inconsiderable fish-

Growth of Connecticut.

1649. May 17.

1658. March 11.

1649 - 1651.

[1] See above, p. 235.

[2] Conn. Rec., I. 216. — It does not appear that Ludlow, after all, had much to do with this Code. It is merely a compilation of existing laws, with additions from the Code of Massachusetts; and the Court made a grant to the Secretary (Cullick) of "six pounds in part of payment for his great pains in drawing out and transcribing the country orders" (ibid.); while there is no record of an allowance to Ludlow.

[3] The Connecticut Code (for which see Conn. Rec., I. 509 – 563) is a little more full than that of New Haven, the former having seventy-eight titles, while the latter has sixty-six. On the other hand, the Connecticut Bill of Rights is the more concise of the two.

Before this time there had been two executions in Connecticut for witchcraft. Goodwife Basset and Goodwife Knapp were the sufferers. (N. H. Rec., II. 77, *et seq.*) Two executions for the same crime had taken place still earlier in Massachusetts, that of Margaret Jones, of Charlestown, in 1648, and that of Ann Hibbins, in Boston, in 1655. (Winthrop, I. 321; II. 326.)

[4] Conn. Rec., I. 185; comp. 208, 221, 292. See above, pp. 233, 234.

[5] Conn. Rec., I. 310, 313. — The river on which it stood they also called the *Thames*.

[6] Ibid., 187, 188, 200, 206, 232.

ing station, called East Hampton, near the eastern end of Long Island, was annexed to the Colony. At the mouth of a little stream which empties into the Sound between Fairfield and Stamford, some twenty families from Hartford made a settlement, to which they gave the name of *Norwalk*.[1] A spot on the Connecticut, a few miles south of Wethersfield, was occupied by planters from that place and from Hartford, with others from Massachusetts and some just arrived from England; and its Indian name, *Mattabeseck*, was changed to Middletown.[2] Including Southampton and Easthampton, on Long Island, Connecticut had now twelve towns. Seven hundred and seventy-five persons were taxed in the Colony, and their aggregate property was valued at £ 79,073.[3]

1649. Nov. 7.

1650. June.

1653. Nov.

Connecticut was scarcely less forward than New Haven to promote the conquest of New Netherland. On the reception of intelligence of the arrival of Sedgwick's squadron at Boston, Mr. Welles, Deputy-Governor, acting as Governor in Hopkins's absence, wrote to the commanders, asking for information as to the number of men and amount of supplies that were desired, and the appointed place of rendezvous; and assuring them that Connecticut would "with all thankfulness embrace this favor and respect from his Highness, and with all readiness attend the counsel and advice of his commissioners."[4] And, as soon as the Court could be assembled, Major Mason and Captain Cullick were despatched to Boston to make arrangements for the expected campaign. They were authorized to offer the Colony's share of a force of fifteen hundred men, in the proportion determined by

1654. June 10.

Expedition against New Netherland. June 13.

[1] Conn. Rec., I. 210.

[2] Ibid., 250.

[3] Ibid., 307, 308. — The two last-named towns, as well as New London, are omitted in these schedules, both of persons and of property.

[4] Hutch. Coll., 253.

the Articles of Confederation. In case Massachusetts should refuse to take part in the enterprise, and it should be thought that without her the other Colonies were "able to carry on the design with hopeful fruit of success," Connecticut consented, "rather than the design should fall," to be pledged for the supply of "four or five hundred men, provided they all engaged to be under the command and at the dispose of such commanders" as Mason and Cullick "should approve or appoint."[1]

Rhode Island privateers.

From her position, Connecticut was more exposed than the other Colonies to annoyance from the marauders, whom Rhode Island had commissioned in its zeal for the Commonwealth of England. It has been mentioned,[2] that one of them, Thomas Baxter, had occasioned a blockade of Fairfield, by escaping into that port when chased by two Dutch armed vessels. The confederate Colonies were not responsible for Rhode Island, and they could not allow one of their harbors to be closed by the Dutch. The Commissioners agreed in advising the General Courts to prohibit the entrance of Dutch vessels into their ports without express license from some Magistrate, and in authorizing the inhabitants of Fairfield and its neighborhood to expel, or make prize of, the vessels which had given the offence.[3] Baxter, being arrested in Connecticut, and prosecuted by the owner of the Barnstable vessel which he had captured, was sentenced by the General Court to restore his prize, and to pay heavy damages, besides being fined fifty pounds "for his insufferable reproachful speeches against the chief of that jurisdiction, and his insolent carriages in several particulars."[4] Underhill sailed up the Connecticut to the Dutch house at Hartford, and posted upon it a notice, that, "by per-

1653. Sept. 17.

1654. April 6.

[1] Conn. Rec., I. 259, 260.

[2] See above, p. 360.

[3] Records, &c., in Hazard, II. 287, 288.

[4] Conn. Rec., I. 252, 253; comp. N. H. Rec., II. 48, 50, *et seq.*, 67, 75–77.

mission of the General Court" of Connecticut, he seized upon it as belonging to "enemies of the Commonwealth of England."[1] He found purchasers for it in two different parties, one being of Portsmouth, the other of Hartford, and made conveyances of it to both. But the government of Connecticut "sequestered and reserved it,"[2] till a full investigation should be had. The next year, he presented a petition to the General Court, alleging that they had authorized his seizure of the property, and praying them to "approve of his sale thereof." But they contradicted his statement, and denied his request.[3]

1653. June 27.

1654. April 6.

1655. May 17.

After Thomas Welles and John Webster had each been at the head of the government one year,[4] the want of greater efficiency in the highest office had probably made itself felt, and John Winthrop, of New London, was chosen to be Chief Magistrate.[5] His administration of that office, connected with a

John Winthrop, jr. Governor. 1657. May 21.

[1] Brodhead, History, I. 558.

[2] Conn. Rec., I. 254.

[3] Ibid., 275.

[4] Webster and Cullick left Connecticut soon after, in consequence of the part taken by them in an ecclesiastical controversy. (See below, p. 490.) The former went to Hadley in Massachusetts; the latter to Boston. Welles was Governor again in 1658, the constitution of Connecticut not yet permitting the immediate re-election of the Governor of the preceding year. (See Vol. I. 536.) He was Deputy Governor in 1657 and 1659, in the latter of which years he died.

[5] Conn. Rec., I. 297; comp. 301. — On the election of Winthrop, the Colony invited him to make Hartford his residence, and offered him the rent of the house formerly occupied by Mr. Haynes.

In May, 1647, Winthrop was commissioned by the General Court of Connecticut "to execute the place of a Magistrate at Pequot." (Conn. Rec., I. 164; see above, p. 234.) He had probably not yet determined to detach himself from Massachusetts, of which Colony he continued to be a Magistrate by annual elections. The government of Massachusetts still desired to win him back among them, and offered him inducements to that end. (Mass. Rec., II. 229, 241.) The death of his father, within a year after these proposals, may have had an influence on his decision. In May, 1650 (Ibid., III. 182), his name first disappears from the list of Assistants of Massachusetts. He became a freeman of Connecticut in that month (Conn. Rec., I. 207), and in May, 1651, was chosen to be a Magistrate, to which office he was re-elected, from year to year, till he was promoted to be Governor in 1657.

long series of events important in the history of the home of his adoption, was inaugurated by transactions not without interest as indicating the orderly and vigorous policy which was to pervade it. The General Court by which Winthrop was elected was the first to carry into effect a rule to submit the question of the admission of every freeman to the vote of the central government of the Colony.[1] It raised a troop of horse, the first which had been enrolled.[2] And in Winthrop's first year of office, a provision of the ecclesiastical policy of Massachusetts was adopted in a law "that henceforth no persons in the jurisdiction should in any way embody themselves into church estate without consent of the General Court, and approbation of the neighbor churches."[3] Connecticut took a generous interest in the conversion of the Indians,[4] putting herself to expense to provide missionaries of her own; and she was a liberal patron of Harvard College.[5]

1658. March 11.

[1] Conn. Rec., I. 297; comp. 290, 331, 417.
[2] Ibid., 299; comp. 309.
[3] Ibid., 311.
[4] Ibid., 265, 531.
[5] Ibid., 112, 139, 250.

CHAPTER X.

In Massachusetts, after the death of Winthrop, Endicott appears to have been regarded as excelling every contemporary in that combination of qualities which was required for the conduct of the public business. Two years excepted, he was always Chief Magistrate thenceforward till, at the age of seventy-seven, he died. Dudley and Bellingham each filled the office one year during this period. In these two years, Endicott was Deputy-Governor; and when he held the first place, Dudley held the second till the last year of his life, as Bellingham did after that time without interruption.

Endicott at the head of affairs.

1650. 1654.

By many titles Dudley might seem to be marked as Winthrop's natural successor. They had been associates, from the first, in the councils of the Colony, generally occupying the two highest stations; and Dudley was a person of eminent integrity, ability, and public spirit. But he was already old when Winthrop died, and it is probable that the infirmities of age had somewhat impaired his activity. That his death was not sudden may be probably inferred from his absence from the General Court held two months before, at which Court he should have taken his place as Deputy-Governor.[1] Bellingham was a man of great capacity, and at a later period rendered long and excellent service. But the natural acerbity of his character was not yet tempered by years; and it may be supposed that his course of factious opposition to Winthrop had brought on him

1653. May 18.

[1] Mass. Rec., IV. (i.) 119.

a degree of distrust, which it required time to overcome. By some of the statesmanlike qualities of his admirable predecessor Endicott was not distinguished; but under the guidance of that master mind the Colony had surmounted its first difficulties, and had established a definite line of policy which could be understood and followed out by such as might not have been competent to project it; so that, on the whole, the energetic pioneer and soldier, trained as he now had been by an instructive experience and companionship of more than twenty years, was recognized as the leader required by those stirring times. The period which began with the Commonwealth of England, and reached beyond it by five years, might be called, in relation to Massachusetts, the period of Endicott's administration; for during that time he was scarcely discharged from the chief magistracy often enough to suggest that it was not intended to be vested for life.

Extension of the territory of Massachusetts.

During the first half of this time, Massachusetts extended her confines in two opposite directions. A tract between the Paucatuck River, which now makes part of the western boundary of the State of Rhode Island, and the Mystic River, by which stood the Pequot fort destroyed by Captain Mason, had been selected for a plantation by William Chesebrough, who went thither from Rehoboth.[1] By degrees he was joined by others; and, the question having arisen whether his settlement belonged to Connecticut or to Massachusetts, which latter Colony claimed it as part of her share in the spoil of the Pequot

1649.

[1] William Chesebrough took the oath of a freeman of Massachusetts at the first admission of freemen on this side of the water, in May, 1631. (Mass. Rec., I. 366.) In the following year, he was one of the two persons commissioned by Boston "to confer with the Court about raising of a public stock." (Ibid., 95; see Vol. I. 354.) He was a Deputy in the General Court for Braintree in 1640 (Mass. Rec., I. 301), and in the same year was made a Commissioner "to try small causes" in that town. (Ibid., 306.) He was at Rehoboth in 1646, and as late as 1648. (Plym. Rec., II. 99, 103, 136.)

war, the Federal Commissioners were appealed to by the parties. They decided that the Mystic should be the boundary between the respective portions of the conquered soil; and Chesebrough's settlement, known in later times as *Stonington*, received from the General Court of Massachusetts a municipal organization with the name of *Southertown*.[1] 1658. Sept. 18. Oct. 19.

When Massachusetts thus spread herself southwardly to Long-Island Sound, she had received a large accession of territory on the northeast. Maine and Lygonia, provinces belonging respectively to Gorges and to Rigby, had been neglected by their proprietors amid the distractions of the times.[2] The old question of their limits had, however, been brought before the Commissioners for Foreign Plantations, who, favoring the pretensions of Rigby, had decided that the river Kennebunk was the boundary between them, thus severing Saco from the principality of Maine.[3] Reduced to these dimensions, Maine comprehended on the mainland only Gorgeana, Wells, and a settlement which had grown up at the mouth of the Piscataqua, opposite to Strawberry Bank (Portsmouth), and which now received the name of *Kittery*. The planters, desirous of some more regular government, and despairing of receiving it from their feudal chief, determined to institute an administration of their own. They accordingly met at Gorgeana, and contracted with each other for a civil society by an obligation conceived in these words: "The inhabitants, with one free and universanimous consent, do bind themselves in a body politic and combination, to see these parts of the country and province regulated according to such laws as formerly have been exercised, and such others as shall be

Condition of the northeasterly settlements.

1646. March.

1647. Oct. 20.

1649. July.

[1] Conn. Rec. I. 570; Mass. Rec., IV. (i.) 353; Records, &c., in Hazard, II. 395–397.

[2] See Vol. I. 527, 595.

[3] Williamson, History, &c., I. 301; comp. Winthrop, II. 256, 257.

thought meet, but not repugnant to the fundamental laws of our native country."[1] A Governor and five Counsellors, annually chosen, were to have charge of the public affairs. Edward Godfrey, of Agamenticus, the only Counsellor who had been appointed by Gorges, was chosen Governor. The Counsellors were Edward Rushworth, also of that city, and Richard Leader, Nicholas Shapleigh, and Thomas Withers, of Kittery.[2]

George Cleaves, with a council of Assistants, carried on the government of Lygonia, as agent for Rigby; but on the death of the proprietor, Cleaves went to England, and the bond of allegiance to the heir was more lightly felt by the planters. Both in that province and in Maine, there were numbers who were dissatisfied with the existing state of things. Some desired a different settlement under a new charter; others preferred to follow the example of the Piscataqua towns, and place themselves under the government of Massachusetts. The patent of the Governor and Company of Massachusetts Bay granted a territory having for its northern boundary a line extending westward from the Atlantic Ocean on a parallel of latitude three miles north of the most northerly part of the river Merrimack. The General Court had obtained some knowledge of the geography of the region, and of their apparent right to lands earlier granted to themselves, but now claimed by the representatives of Gorges and Rigby; and they saw that circumstances favored their producing the claim, and obtaining a recognition of it which would be for the advantage of the settlers as well as for their own. They decided to begin with the inhabitants of Kittery, and accordingly appointed a commission of three distinguished citizens, — Mr. Bradstreet, Mr. Denison, and Mr. Hathorne, — to proceed to that place, conveying "a loving and friendly letter" to the

1650.

Annexation of Maine to Massachusetts.

1651. Oct. 14.

[1] Mass. Hist. Coll., I 103.

[2] Williamson, History, &c., 303, 327.

inhabitants, and offering "to receive them under this government, if terms of agreement could be concluded upon by mutual consent; otherwise, having ..... laid claim to the place, to protest against any further proceeding by virtue of their combination, or other interest whatsoever."[1]

The Provincial Court of Maine solicited the intervention of Parliament, and sent a memorial, praying for a confirmation of the government which they had established among themselves "by way of combination."[2] Winslow, still agent of Massachusetts in London, had an advantage in being able to argue that the opposition was prompted by the prejudices of royalists; and the petition had no effect. The General Court of Massachusetts, "on perusal of the charter," resolved that, by the royal grant therein, their northern boundary was that which has been above described; and they appointed commissioners to survey the line.[3] A correspondence between Rawson, Secretary of Massachusetts, and Edward Godfrey, calling himself "Governor of the Province of Maine," expressed the pretensions of the respective parties, but did nothing towards composing the dispute. The commissioners of Massachusetts came to Kittery, and there, after a conference with Godfrey and four others, "who declared themselves to be persons in present power," they formally claimed the jurisdiction as belonging to their Colony, and forbade the exercise of any local authority after the expiration of three months. Godfrey and his associates replied that they "resolved and intended to go on, till lawful power commanded the contrary."[4]

Dec. 5.

1652. May 31.

July 9.

But such opposition as they could make caused no delay. Surveyors, employed by the General Court, traced the stream of the Merrimack as far north as the parallel of forty-three degrees, forty minutes, and

Oct. 19.

[1] Mass. Rec., III. 250, 251.
[2] Hazard, I. 559.
[3] Mass. Rec., III. 274, 278.
[4] Hazard, I. 564–569.

twelve seconds; and, on receiving their report, the Court again sent commissioners to Kittery.[1] It made its submission, and was constituted by the commissioners a town of Massachusetts, within a new "county or shire, which was called by the name of *Yorkshire*," and embraced all the territory yet claimed by Massachusetts east of the Piscataqua. Courts were established for the county; an organization was prescribed for towns; assurance was given that "the people inhabiting there should enjoy protection and equal acts of favor and justice with the rest of the people inhabiting on the south side of the river of Piscataqua, and within the liberties" of Massachusetts; property held under "the grant of the town, or of the Indians, or of the former General Courts," was confirmed to the possessors; the franchise of the Colony was granted on the sole condition of taking the freeman's oath, independent of the religious or any other test; and Kittery was allowed to send two Deputies to the General Court.[2]

Nov. 20.

Such liberal dealing was followed by what must be supposed to have been its expected effect. Two days after this transaction at Kittery, "the commissioners held their Court" at Agamenticus; "and the inhabitants appeared, and after some time spent in debatements, and many questions answered and objections removed, with full and joint consent acknowledged themselves subject to the government of the Massachusetts in New England; only Mr. Godfrey did forbear until the vote was passed by the rest, and then immediately he did by word and vote express his consent." Fifty persons then took the freeman's oath; among whom were Godfrey and Rushworth, members of the late government. Agamenticus received the name of *York*, with the same privileges as had been allowed to Kittery.[3]

Nov. 22.

[1] Mass. Rec., III. 288.

[2] Hazard, I. 573.

[3] Ibid., 575, 576.

It evinces a remarkable disregard of the recent action of the Parliament's Commissioners for Foreign Plantations, that the province of Gorges, as they had defined it, was thus mostly absorbed by Massachusetts. In the next year, the same course was taken with that part of it which as yet remained untouched, as well as with the territory which had been assigned to Alexander Rigby, and which was equally ascertained to lie within the chartered limits of Massachusetts, as they were now asserted. Commissioners from that Colony went to Wells, and summoned the inhabitants there, at Saco, and at Cape Porpoise (now Kennebunk Port),[1] to make their submission, under liberal terms, similar to what had been granted to Kittery and York. At Wells they met with opposition; perhaps the events which led to the settlement of that place were remembered with resentment.[2] Six persons, however, took the oath at the first session of the Commissioners, and twenty more on the following day. At the same time, twenty freemen enrolled themselves from Saco, and twelve from the other settlement. This was accomplished without objection. After Rigby's death, his son and heir, in consequence of unfavorable representations which had reached him, sent a letter of rebuke to the local rulers, forbidding them to execute any acts of administration till he should give further orders. A measure of this kind could not but increase, or create, discontent, and thus facilitate the accomplishment of the purposes of Massachusetts. The three plantations were incorporated into the county of York, but did not as yet receive the privilege of being represented in the General Court.[3]

Annexation of Lygonia to Massachusetts. 1653. July 4.

1652. July 19.

[1] For as much as twenty years Cape Porpoise had been a resort of fishermen and traders. (Winthrop, I. 89.) It was still, however, a very inconsiderable settlement. Comp. Williamson, History, &c., I. 352 *et seq.*

[2] See Vol. I 512, 593.

[3] Mass. Rec., III. 335 – 338.

Attempts made in England, by Cleaves and others, to disturb this arrangement, had no success. Its expediency was too obvious, and the Protector was too friendly to its promoters. John Leverett, while he was in Massachusetts with Cromwell's fleet, increased the esteem with which he had always been regarded, and on his return to England, which took place after the death of Winslow, he was appointed agent for that Colony.[1] By his interest, aided by the influence of Mr. Hopkins,[2] the exertions of the malecontents were defeated. A memorial, addressed to the Protector by seventy inhabitants of the five towns, represented their wishes for the continuance of the new government. "Through God's mercy," they said, "we enjoy it to our good satisfaction, and for our continual settledness under it we daily pray;" and, for further information respecting their affairs, they referred to Wheelwright, the founder of Wells, who was then in England.[3] The memorialists were "the best part, if not the greatest part, of the inhabitants."[4] And soon yet another enlargement took place, which extended the domain of Massachusetts to the shores of Casco Bay. Under conditions like those which had been made with the neighboring plantations, the planters at Black Point, at Spurwink, at Blue Point (which received the name of *Scarborough*), and at Casco Bay (which assumed that of *Falmouth*), took the oath of allegiance to Massachusetts, and received

1655 Nov. 23.

1656. Aug. 12.

1658. July 13.

[1] Leverett's account with the English government for the expedition to Nova Scotia is in Mass. Hist. Coll., XXXII. 221. The date is "March 10, 1655" (1656). It exhibits a balance due to him of £ 4,742. 9. 10. He charged twenty shillings a day for his own services for a year and eleven months; but the Council reduced the daily pay to fifteen shillings. For the amount of his debt, he received in July "His Highness the Lord Protector's Privy Seal." But nearly four thousand pounds still remained due to him after the Restoration, when he petitioned the King for relief. (Mass. Rec., III. 222, 223.)

[2] Hutch. Coll., 271 – 275; comp. Maine Hist. Coll., I. 290.

[3] Maine Hist. Coll., I. 296 – 299.

[4] Letter of Rushworth to Endicott, August 14, 1656. Ibid., 299.

its franchise. They were twenty-nine in number, and thirteen signed the oath with a mark.[1]

Such a steady extension of a domain won by herself from the wilderness was more alluring to Massachusetts than were other prospects which were opened to her by the friendship of the ruler of England. When Cromwell having conquered Ireland, had to consider how it was to be kept in subjection and in order, with as little expense as possible to the English treasury, he bethought himself of the Puritans across the water, now probably some thirty thousand in number. He knew them for a set of men combining the best qualities of the English character. Their courage had been proved by strict tests. Their religious zeal was a light fit to be set upon a hill. They had shown themselves able to organize and to govern. The English nerve and Christian faith that belonged to them might be trusted for the defence of Ireland against hosts of Catholic Celts, indigenous or Continental. And now that the oppressive power from which they had fled was prostrate, it was not unreasonable to suppose that they would be inclined to retreat from the poverty and hardship of their new settlements, to have a part in the republic established in the British Islands. But the Protector's plan to that effect was fruitless. They had taken root. The objects of greatest interest to them were best pursued where they were. Perhaps they did not overlook the possibility of a not distant restoration of the old order of things in Great Britain. Endicott, writing to Cromwell for the General Court, said that they would not "hinder any families or persons to remove to any parts of the world where God called them," but that they were enjoying health, plenty, peace, the liberty and ordinances of the Gospel, and an opportunity for spread-

Cromwell's plan for transferring the New-England people to Ireland.

1651. October.

[1] Mass. Rec., IV. (i.) 357 – 362.

ing the knowledge of it among savages; and that, content with these blessings, they had no desire to change their abode.[1]

And to Jamaica.

When the island of Jamaica was reduced by the Protector's fleet, it had only fifteen hundred white inhabitants. For a population to possess and defend it, Cromwell again turned his thoughts to the countrymen of Cotton, and Hopkins, and Winslow, and Sedgwick. He instructed Daniel Gookin, then in London, to go home and urge his liberal proposals. To emigrants from New England to Jamaica he offered lands free of rent for a term of seven years, after which they were to pay annually at the rate of a penny an acre. For seven years they were to be at liberty to hunt horses and cattle. They were to have an incorporation with as favorable terms as any city or town corporate in England. No custom, excise, impost, or other duty, was to be demanded of them for four years. Six vessels were to be furnished for their transportation, which was to be begun within a year after the proposal was made. The Protector was from time to time to appoint their Governor and Commander-in-chief, and his Assistants. While the negotiation should be pending, Gookin was to keep the government in England advised of his progress in it, employing express messengers to convey the information, should he think his communications of a character to justify that expense.[2]

[1] Hutch. Hist., I. 450 – 452. — A few considerable persons were for a time favorably disposed to the plan of removing to Ireland. There is a letter from Peter Bulkely, Daniel Denison, and three others, to Cromwell, in which they desired to be further informed of his plans. (Mass. Hist. Coll., XXXII. 115.)

[2] "Instructions given to Mr. Daniel Gookin, being reported from the Committee of the Council to whom the business of America was referred, were this day read and approved, and ordered to be offered to his Highness, as the advice of the Council, which are *in hæc verba*," &c. (Journal of the Council of State, in the English State-Paper Office.) "This day" was September 26, 1655. "His Highness present." The "instructions" occupy three large closely written folio pages. "Our desire is," say the Commission-

The imagination is baffled in endeavoring to conceive how differently the later history of the world would have read, if this plan had been successful, and if the six or seven later generations of self-relying and self-respecting freemen of Massachusetts had had their rearing in a slave island of the West Indies. Cromwell was a person to be cautiously dealt with, and the statesmen with whom he was now dealing understood the uses of delay. Eight months passed before "the Court read and considered of the letter sent by his Highness to this Court, with the instructions given by him to Captain Daniel Gookin in reference to the transplanting of persons to Jamaica." They "ordered a letter to be drawn up and sent to his Highness from this Court, to manifest their thankful acknowledgment of his Highness's favor, &c."[1] This letter, which it took five months to compose and despatch, was at the same time brief and wordy. Referring definitely to no other discouragement to the project than "intelligence from Jamaica of the mortality of the English race there," the writers left no room for a doubt that they and their constituents intended to remain where they were. If they could do nothing else to please the Protector, they assured him that he should always have their prayers. "We account it our duty . . . . . never to cease to present our requests to Him that is able abundantly to recompense all your labors of love to his, to preserve your Highness, long to continue you a happy instrument to carry on his work, overthrow the enemies of his truth, and to enlarge the kingdom of his dear Son."[2] They knew how to write to Cromwell. They understood

1656. May 14.

Oct. 24.

ers, "that this place (if the Lord so please) be inhabited by people who know the Lord and walk in his fear, that by their light they may enlighten the parts about them, which was a choice end of our undertaking this design, and may also from among them have persons fit for rulers and magistrates, who may be an encouragement to the good and a terror to evil-doers."

[1] Mass. Rec., IV. (i.) 273.

[2] Hutch. Hist., I. 176; Hazard, I. 638.

something of him, and they gave him credit for being able to understand them, and to read in a sentence more than its words convey.

In an audience which he gave to Leverett, the Protector had "manifested a very strong desire" for the execution of this scheme; "he was pleased to express that he did apprehend the people of New England had as clear a call to transport themselves from thence to Jamaica, as they had from England to New England, in order to their bettering their outward condition, God having promised his people should be the head, and not the tail; besides, that design hath his tendency to the overthrow of the man of sin."[1] When the agent waited upon him with the letter sent from Massachusetts in reply to his proposal, he was anxiously busy with his last Parliament, from whom he was expecting a renewal of the offer of the crown. He listened to Leverett's exposition of the views entertained in New England, and said that he "would not impose any particular injunction." While he was going on with expressions of esteem and confidence, "an honorable gentleman of his Council came in, who, hearing his Highness upon New England, was pleased to express himself concerning New England's rigidness and persecution; to which his Highness was pleased to answer very much in the favor of them, that they acted like wise men, and God had broken the designs of evil instruments, bearing witness with them against evil seducers which had risen up among them."[2] It does not appear that the scheme was

Nov. 18.

December.

[1] Deut. xxviii. 13; 2 Thes. ii. 3.

[2] Leverett's letter of December 20, 1656, to Endicott, in Hutchinson, I. 176. — Leverett took care to *improve* the last remark by replying to the Protector, "that, if Rhode Island and those parts were intended, that then God had borne witness against them, ... which would appear by that looseness and profaneness they were left to, so that they had not only declined Christian religion, but moral observations." (Ibid.) — It would seem from a letter of Endicott to Leverett (Hutch. Coll., 309) that Cromwell had heard of the treatment of Clarke in Massachu-

again urged upon the people of Massachusetts. Had they had no other reason for repugnance, the proposal which had been made in respect to government and to taxation would have been reason sufficient, implying, as it did, that practical subjection to the mother country which hitherto they had been at such pains to avoid.[1]

They might well be satisfied with their condition and their prospects. Everything was prospering with them. They had established comfortable homes, which they felt strong enough to defend against any power but the power of the mother country; and that was friendly. They had always the good-will of Cromwell. In relation to them he allowed the Navigation Law, which pressed hard on the Southern Colonies, to become a dead letter, and they received the commodities of all nations free of duty, and sent their ships at will to the ports of Continental Europe. For twenty years there had been no serious dissensions in Church or State;[2] the affairs of both had, on the whole, been con-

Prosperity of Massachusetts.

setts, and that the agent thought an explanation of it to be expedient. The letter is dated June 29, 1657. Clarke was then in London.

[1] In New Haven alone, which was at this time rendered uneasy by alarms from the Indians, the thought of removal was perhaps seriously entertained. The towns were consulted, and were desired to instruct their Deputies on the question. At the General Court, held in May, 1656, "much debate there was about this thing, and a serious weighing and considering thereof." The result was, that, "though they could not but acknowledge the great love, care, and tender respect of his Highness the Lord Protector to New England in general and to this Colony in particular, yet, for divers reasons, they could not conclude that God called them to a present remove." (N. H. Rec., II. 180.)

In the State-Paper Office, there is a memorial to "his Serene Highness" from one René Augier, for himself and others his countrymen, of which the first proposal is, that "all the strangers, whom the Society he propounds shall employ, either at Jamaica or elsewhere in the West Indies, shall profess the Protestant Reformed religion." They were to become "tributary unto his Serene Highness." The existing difference between Jesuits and Jansenists is represented as a reason for expecting an increase of numbers. The date is July 25, 1657, the month after the Protector's second inauguration.

[2] Just before the King's death, there had been a revisal and publication of the laws. (See above, p. 261.) Ten years later, the same work was done

ducted to the general content. There had been time for attachment to the soil to mature; for a sense of national character to be formed; for society to be moulded into

again. May 26, 1658, the following order was passed by the General Court, viz.: "that Major-General Daniel Denison diligently peruse, examine, and weigh every law, and compare them with others of like nature; and such as are clear, plain, and good, free from any just exception, to stand without any animadversion as approved; such as are repealed, or fit to be repealed, to be so marked and the reasons given; such as are obscure, contradictory, or seeming so, to be rectified, and the emendations prepared. When there is two or more laws about one and the same thing, to prepare a draught of one law, that may comprehend the same; to make a plain and easy table, and to prepare what else may present in the perusing of them to be necessary and useful, and make return at the next session of this Court." (Mass. Rec., IV. (i.) 337.)

Denison was not negligent in his work; for in five months the Court were able to send the fruit of it to the printer, appointing Mr. Danforth "to oversee the impression." (Ibid., 422.)

The volume thus produced is extremely rare. The Massachusetts Historical Society has a copy, and the library of Dane College in our University of Cambridge, another; the latter, wanting the title-page. The body of the book consists of eighty-eight pages, including six pages of forms of legal process and of oaths. The Titles are arranged in alphabetical order; and, for further convenience in consultation, a good "Alphabetical Table" is appended.

A few statements will sufficiently describe that ecclesiastical order, existing by law in Massachusetts, in 1658, which was not unlikely to be the first object of attack, if the ancient government of England should be restored. Laws of this class may be arranged, according to their objects, under the following heads.

1. Religious institutions were to be supported. Each town, as a corporation, was legally bound to provide for its minister a convenient habitation and competent support; and, in cases of neglect, the County Court was to interfere, and enforce the obligation. (Code of 1658, pp. 26, 27.) 2. Any sufficient number of persons might form a church. But, if this was done without the approbation of "the Magistrates and the Elders of the neighbor churches," the members of that church obtained no title to the franchise of the Colony. (Ibid., 25.) 3. Churches had liberty to manage their own affairs. But no church censure was of force to "degrade or depose any man from any civil dignity, office, or authority;" the government had "power and liberty to see the peace, ordinances, and rules of Christ be observed in every church;" and no person might "publicly and constantly preach to any company of people, whether in church society or not, or be ordained to the office of a Teaching Elder, where any two organic churches, Council of State, or General Court, should declare its dissatisfaction thereat. . . . . In case of ordination of any teaching elder, timely notice was to be given unto three or four of the neighboring organic churches for their approbation." (Ibid., 25, 26. The last of these provisions was made in 1658, the year when the laws were consolidated; and a reference in its preamble to "this hour of temptation, wherein the enemy designeth to sow corrupt seed," points to the English

that shape which makes it strong and thrifty through the fit action of its members in their several places. Prescription had both familiarized and legitimated the

Quakers, Ranters, Levellers, &c.; comp. Mass. Rec., IV. (i.) 122, 151.) 4. A person guilty of "contemptuous behavior towards the word preached, or the messengers thereof," by interruptions, or false charges of error "in the open face of the church," was for a second offence to "pay five pounds to the public treasury, or stand two hours openly upon a block or stool, four foot high, on a lecture day, with a paper fixed on his breast, written in capital letters, 'An open and obstinate contemner of God's holy ordinances;'" and whoever should "go about to disturb or destroy the order and peace of the churches . . . . ., either upon pretence that the churches were not planted by any new apostle, or that ordinances are for carnal Christians, or for babes in Christ, ... or upon any other such like groundless conceit," was to "forfeit to the public treasury forty shillings for every month, so long as he should continue in that his obstinacy." (Code of 1658, p. 26.) 5. Absence from public worship "without just and necessary cause," was made punishable by a fine of five shillings. 6. Banishment was the penalty for obstinate persistence in attempts "to subvert and destroy the Christian faith and religion by broaching and maintaining any damnable heresies," such as the law proceeded to specify, including the denial of "the ordinance of magistracy, or their lawful authority to make war." (Ibid., 34.) 7. Blasphemy, as defined in several specifications, was a capital offence. (Ibid., 8.) 8. Violations of the Sabbath, by "playing, uncivil walking, drinking, travelling from town to town, going on shipboard, sporting, or any way misspending that precious time," were made punishable by an admonition for the first offence, and a fine of five shillings for the second, and of ten shillings for the third. (Ibid., 69.)

Whether it was owing to solicitude as to the course of affairs in England after the downfall of the royal power, or to the absence of the moderating influence of Winthrop, or to sentiments engendered, on the one hand, by the alarm from the Presbyterians in 1646, and, on the other, by the confidence inspired by the Synod of 1648, or to all these causes in their degree, the years 1650 and 1651 appear to have been a time of some more than common sensibility in Massachusetts to danger from heretics. In the former year, the General Court, coming together in October, were horrified by "the sight of a book, lately printed [in London] under the name of William Pynchon," and "brought over by a ship a few days" before. It was "entituled 'The Meritorious Price of our Redemption, Justification, &c., clearing it from some Common Errors,' &c.," and contained "many errors and heresies generally condemned by all orthodox writers." (Mass. Rec., III. 215.) In a "Discourse acted between a Tradesman and a Divine," it maintained, — "1. That Christ did not suffer for us those unutterable torments of God's wrath that commonly are called hell torments" (pp. 1 – 9); "2. That Christ did not bear our sins by God's imputation, and therefore he did not bear the curse of the law for them" (9 – 83); "3. That Christ hath redeemed us from the curse of the law, not by suffering the said curse for us, but," &c.

In short, its doctrine was directly in the face of that law of Massachusetts, passed four years before, (Mass. Rec.,

methods of local administration. The education of the rising generation had been provided for. Every child, old enough to leave its mother's side, was at school.

II. 177; comp. Code of 1658, p. 34,) which condemned to banishment whosoever should "go about to subvert and destroy the Christian faith and religion by broaching and maintaining" certain "damnable heresies," among which was specified that of "denying that Christ gave himself a ransom for our sins." The Court had no way of escape. The existence of the law — passed, very probably, with little thought as to this particular, so unlikely to be infringed — was notorious. The violation of it was unquestionable, and matter of public scandal. Whomever else the law thus affronted could afford to spare, and yet retain its authority, it could not afford to bow before an ancient and venerated Magistrate. Such a submission would have been a death-blow to its credit with the people.

The Court accordingly put on its most awful frown. By a formal "declaration and protestation," designed partly "for the clearing of itself to Christian brethren and others in England," whither it was "sent to be printed," it signified to "all men" that it "utterly disliked and detested" the book. It directed that a "sufficient answer" should be prepared "by one of the reverend Elders;" that Mr. Pynchon should "appear before the next General Court to answer;" and that his book should "be burned by the executioner . . . . ., in the marketplace in Boston, on the morrow, immediately after the lecture." (Mass. Rec., III. 215, 216.)

By the arguments of Mr. Cotton, Mr. Norris, and Mr. Norton, — the last being appointed to answer his book, — Pynchon was brought to appear before the Court, in May, 1651, with some sort of recantation of his errors. But as it was not thought to prove more than that he was "in a hopeful way to give good satisfaction," he was dismissed with an injunction to appear again at the next session. (Ibid., 229, 230.) At the next session, which was in October, he probably was not present. He was then "enjoined, under the penalty of one hundred pounds, to make his personal appearance at and before the next General Court, to give a full answer to satisfaction, if it may be, or otherwise to stand to the judgment and censure of the Court." (Ibid., 257.) What the judgment and censure of the Court would have been, had the affair proceeded, cannot be known. The Court was disembarrassed by his voluntary departure, before the next spring, for England, where, in the tenth year afterwards, he ended his days. Sir Henry Vane wrote to the Magistrates, complaining of the course which they had taken, and was answered in a joint letter by nine of them, including Bellingham (Mass. Hist. Coll., XXI. 35–37), who worked more kindly with his associates now that Winthrop was no more. The Court gave their thanks and twenty pounds "to Mr. John Norton for his worthy pains in his full answer to Mr. Pynchon's book" (Mass. Rec., III. 239), and sent it to England to be printed. (Ibid., 248.)

It was accordingly published there, in 1653, with the title, "A Discussion of that great Point in Divinity, the Sufferings of Christ," &c. It consists of 270 pages. In an Appendix is a letter from the ministers, Cotton, Mather, Symmes, Wilson, and Tompson, in which they say that, when Pynchon's book reached Boston, a vessel was

Ninety-eight young men had been trained at the College by teachers who had been ornaments of the great English seats of learning.[1]

just about to sail thence for England; and that the General Court hastened their action accordingly. In 1655 Pynchon published in London an answer to Norton, in 440 pages, quarto, which he dedicated to Oliver St. John, esteeming him "to be an able Judge, not only in those controversies that concern the common laws of the land, but also in divine controversies."

About the same time the General Court had a difficulty with the church of Malden. Mr. Marmaduke Matthews, having "given offence to Magistrates, Elders, and many brethren, in some unsafe, if not unsound, expressions in his public teaching," and the church of Malden having proceeded to ordain him, in disregard of remonstrances from "both Magistrates, ministers, and churches," Matthews was fined ten pounds for assuming the sacred office in these circumstances, and the church was summoned to make its defence (Mass. Rec., III. 237); which failing to do satisfactorily, it was punished by a fine of fifty pounds, Mr. Hathorne, Mr. Leverett, and seven other Deputies, recording their votes against the sentence. (Ibid., 250; comp. 276, 389.)

In 1649, the Second Church of Boston was formed, and a house of worship was erected on the north side of North Square. After some ineffectual attempts to obtain a minister, Michael Powell, a gifted brother, and the highest on the list of seven who originally constituted the church (Robbins, History of the Second Church, &c. 7.; comp. Mass. Rec., III. 66, 121), was chosen to be its Teacher. The General Court interposed with "loving advice" to desist from any further proceeding, on account of Mr. Powell's want of "such ability, learning, and qualifications as are requisite and necessary for an able ministry of the Gospel." (Mass. Rec., III. 293, 294; comp. 331, 359.) He modestly withdrew his pretensions, in a letter which showed him to have every other preparation except book knowledge (Mass. Hist. Col., XXI. 45–47), and was invested with the office of Ruling Elder.

The salaries paid to ministers in the County of Suffolk, in 1657, appear in a report of a committee of the General Court. The highest, £ 100, was that of Mr. Thatcher, of Weymouth; the lowest, £ 40, was that of the minister of Hull. They were paid in corn and labor. The ministers of the First Church of Boston were not maintained by stated salaries. (Ibid., 49.)

[1] In its twelfth year (May 23, 1650) the College was, by the General Court, made a Corporation, consisting of "a President, five Fellows, and a Treasurer or Bursar," to have perpetual succession. The Overseers, constituted by the original Act, were continued in their trust, for the exercise of certain powers specified in the new Charter; and Henry Dunster was named as the first President. (Mass. Rec., III. 195; IV. (i.) 12.) Whatever uneasiness may have been felt on account of Dunster's well-known leaning to Anabaptist opinions, his eminent worth and accomplishments had kept him, not only undisturbed, but greatly honored, at the head of the College for now ten years. He remained in that place four years longer; at the end of which time (May 3, 1654) appears a vote of the General Court, "commending it to the pious consideration and special care of the officers of the College, and the selectmen of the several towns, not to permit or suffer any such to be con-

No period of the history of Massachusetts better illustrates the cool and wary wisdom of those who watched over her honor and interests, than the period that coincides with the ascendency of the mysterious Dictator of England. It was no part of their duty to solve the problems which have perplexed and divided opinion, in his own time and in later times, respecting his character and aims. What concerned them was, that, whether by ambition or by neces-

Virtual independence in respect to England.

tinued in the office or place of teaching, educating, or instructing of youth or child, in the College or schools, that have manifested themselves unsound in the faith, or scandalous in their lives, and not giving due satisfaction according to the rules of Christ; forasmuch as it greatly concerns the welfare of the country, that the youth thereof be educated not only in good literature, but sound doctrine." (Ibid., III. 343, 344.) I take it for granted that Dunster considered this as a blow aimed at him; for in the next month he sent in his resignation, which the Court ungraciously accepted. (Ibid., 352; IV. (i.) 182.) His "life," no man doubted, was of the noblest and purest. The particular intolerable offence, which his "unsoundness in the faith," so long borne with, had now given, was not specified. It may probably be found in a recent conversation of his with Jonathan Mitchell, minister of Cambridge. Mitchell related, that on the 24th of December, 1653, he came away from an interview with Dunster with such "a strange confusion and sickliness upon his spirit," as "interrupted his study for the Sabbath," and "made him fearful to go needlessly to Mr. Dunster, for he thought he found a venom and poison in his insinuations and discourses against pædobaptism." Mitchell's perturbation of mind was evidently so great, that it is likely he did not divulge the matter at once; and when he did, it must have occasioned a strong excitement in reference to Dunster's station in the College; for how could the babes of grace be trusted with a man, who had thrown "matchless Mitchell" off his balance? At all events, the time was one of peculiar uneasiness in respect to the encroachments of Baptists (see above, p. 346, *et seq.*); and it may be that Dunster, after the treatment which his fellow-believers from Rhode Island had received, felt self-rebuked for his silence, and that this was what prompted him "to bear his testimony in some sermons against the administration of baptism to any infant," as Mather says he did. (Magnalia, Book IV. Chap. IV. § 10.)

Mr. Charles Chauncy, formerly of Plymouth and Scituate (see Vol. I. 546, Bradford, 384), was chosen to be Dunster's successor. Before coming to America, he had been Professor of Greek, and afterwards of Hebrew, in the English University of Cambridge. While he possessed distinguished fitness for the place which he was now to fill, his unsound theory in respect to the mode of baptism and of the celebration of the Lord's supper was perhaps regarded with less displeasure by the government, as it would tend to protect them against that charge of intolerance which their recent action had provoked. He was however required, and he consented, to engage that he

sity, they saw him coming into the possession of a power to which they had no mind to be subjected. They distinctly knew, not only what a despotism is liable to become, but what a despotism is, in its essential nature; and that their business was alike to watch and avoid, and, if need should be, to repel it, whether administered by the heir of a line of monarchs, or by the bearer of a name of hitherto humble sound. If their friends in England had not been able to rid themselves of an oppressive King,

would "forbear to disseminate or publish anything on either of those tenets." (See Quincy, History, &c., I. 25.)

In the year in which this volume is published, a manuscript book of three or four hundred pages has come to light, containing the original accounts of Thomas Chisholm, Steward of Harvard College, from March, 1650, to November, 1659. A *debit* and *credit* account, in which quarterly entries are made, is kept with each member of the College. Undergraduates are charged for "commons and sizings;" "tuition;" "gallery" (which I suppose is a contribution to the church, in the form of hire of a place in the meeting-house, see Magnalia, Book IV. Part I. § 4); "study-rent;" "bed-making," and "fire and candle." The most noticeable fact is the nature of the payments. There are some credits of "silver"; but far the greater part consist of commodities, carried out in the column at so much money; as "a sheep, weighing sixty-seven pounds = £ 1. 1.;" "two bushel of wheat;" "thirty-five pound of sugar;" "eight bushel of malt;" "a bushel of parsnips;" "thirty pound of butter;" "three bushel and three pecks of apples;" "four quarters of a wether;" "three quarters of a lamb;" "a quarter of beef;" "a fat cow;" "a calf;" "eighteen yards of satin;" "five yards of kersey;" "three yards of yellow cotton;" "two thousand nails." So great a man as Governor Dudley paid a large part of his son's College bills, from year to year, with Indian corn. The accountant of the Muses must have kept a butcher's, grocer's, and draper's shop, with the additional perplexity of dealing by barter.

Accounts are in several instances kept in this book, for four successive years, with students who do not appear, from the College records, to have taken any degree. It is known that in or before the year 1655, the course of study for a Bachelor's degree was extended from three years to four, and that in consequence of this change some students left the College. (Mather, Magnalia, IV. 135; Parentator, 14.) But this fails to explain the fact which I have mentioned, not only because several instances occur later than the time when this motive for quitting the College would have been felt, but because those on whom it acted would not in any case have been chargeable for four years of residence. It seems to follow, either that residence for four years did not entitle to a Bachelor's degree, as it has done in recent times, or else that the list of early graduates in the Triennial Catalogue is incomplete. This may well be, as President Quincy says, in his History of the College (I. 450), that "nearly one hundred years had elapsed before any catalogue of graduates was entered in the College books."

without bowing to the rod of an autocrat with a different title, they did not therefore conclude that their own experiment must also fail. The valor and conduct with which Cromwell, in the days of his least doubtful fame, had scattered the conspirators against the birthright of Englishmen, could not but command their grateful admiration; and, in religion, he was the foremost champion of their own cherished theories. But their enthusiasm never seduced their vigilance from its post. When a Puritan Parliament created a Council for the Colonies, Massachusetts carefully abstained from any such solicitation for its favor, as would have been an acknowledgment of its authority. The favor she might have been sure of, but her cautious outlook discerned the danger of the precedent. When England made Cromwell a monarch, Massachusetts preserved a steady silence. He went to war with the Dutch, and proposed to her to help him conquer the Dutch colony on her border. True to her policy of keeping, as far as possible, clear of responsibility for, or connection with, the relations of the parent country to other states, she treated the demand as subject to her own consent or refusal. In the language of administrators of a friendly, rather than of a subject government, the General Court expressed themselves "ready at all times, wherein they might with safety to the liberty of their consciences, public peace, and welfare, to their utmost to attend his Highness's pleasure." And, instead of raising an auxiliary force for the projected expedition, they "freely consented and gave liberty to his Highness's commissioners" to enroll five hundred volunteers, if they could find so many;[1] at the same time apprising him of their conviction that the course "most acceptable to his Highness" would be the course which in their judgment they should see fit to choose, as "most consistent with their peace and wel-

[1] Mass. Rec., IV. (i.) 195.

fare."[1] The death of the Protector is not so much as referred to in the public records.[2]

Massachusetts had been early put upon her guard against relying on the change of government that had taken place in England for her own security from usurpation. In the third year after the execution of the King, the General Court[3] were startled by information from Winslow, "that it was the Parliament's pleasure that we should take a new patent from them, and keep our courts and issue our warrants in their names." The Court took a year to deliberate on the manner of their answer, or to await some favorable turn of events to determine its form. The time which they chose for making it was when the Dutch war had just begun. The coincidence is striking, even if the reader should hesitate to ascribe to the Court an intention of hinting to Parliament, that, if pushed too far, they would not be at a loss in what quarter to look for the protection of a powerful alliance. In their reply, they represented their right, by charter, "to live under the government of a Governor and Magistrates of their own choosing, and under laws of their own making." They recounted their exertions and sacrifices, and bespoke generous treatment in consideration of the purposes with which these had been made. And they claimed the more

1651. Oct. 24.

1652. Oct. 23.

[1] Letter of the General Court of Massachusetts to Cromwell, August 24, 1654 (Hutchinson, I. 452.) After the peace between him and the Dutch, the Governor of New Netherland applied to the Commissioners of the Four Colonies for an acknowledgment of it, so far as related to the boundary line between the English and Dutch possessions in America. But the Commissioners took no notice of the application. (Records, &c., in Hazard, II. 363–365.)

[2] The brevity of the slight, though serious, notice of Cromwell's death in the Diary of John Hull, of Boston, is suggestive. "1658, 25th of 12th. We received the sad news of the death of the Lord Protector, Oliver Cromwell, a man of excellent worth, who died September 3, 1658. The Lord give suitable affections to bewail the loss of such choice ones! He was one that sought the good of New England; though he seemed to be wanting in a thorough testimony against the blasphemers of our days." (Archæol. Amer., III. 186.)

[3] Mass. Rec., IV. (i.) 72.

favor, because their affection to the Parliament, shown by "sending over useful men, who had been of good use, and done good, acceptable services to the army," and by other friendly acts, had exposed them to "the hatred and threats of other English colonies," as well as to "the loss of divers ships and goods, taken by the King's party." At the same time, in a letter to Cromwell, chiefly relating to his offer of lands in Ireland, they "humbly petitioned his Excellence to show what favor God should be pleased to direct him unto, on their behalf, to the most honorable Parliament."[1]

The "other English colonies," with which Massachusetts, by her attachment to the new government, had been brought into unfriendly relations, were "Barbadoes, Virginia, Bermudas, and Antego." Their persistent loy-

1650. Oct. 3. alty had been punished by an ordinance of Parliament forbidding Englishmen to trade with them; a measure which the General Court of Massachusetts sec-

1651. May 22. onded by a similar prohibition addressed to masters of vessels belonging to their jurisdiction. The rule was to remain in force "until the compliance of the aforesaid places with the Commonwealth of England, or the further order of this Court;" and the penalty of disobedience was to be a confiscation of ship and cargo.[2] In respect to Virginia, it may be presumed that this step was not the less willingly taken, on account of a grudge of some years' standing. At an early period of the civil

[1] Mass. Rec., IV. (i.) 110. — Both letters are printed by Hutchinson (History, I. 448 – 452). He has obscured the subject by erroneously referring them to the year 1651.

[2] Mass. Rec., III. 224; comp. 240. — At this Court also the long-banished cross of St. George was restored to the flag. (See Vol. I. 430, 431.) It had become invested with new associations. "Forasmuch as this Court conceives the old English colors now used by the Parliament of England to be a necessary badge of distinction between the English and other nations in all places of the world, till the State of England shall alter the same, which we much desire, we being of the same nation, hath therefore ordered, that the Captain of the Castle shall presently advance the aforesaid colors of England upon the Castle upon all necessary occasions." (Mass. Rec., III. 224.)

war, that Colony had banished Non-conformist ministers who had gone thither from Massachusetts; 1643. and the offence had been repeated five years afterward.[1] 1648.

It was about the same time — when England had as much business on her hands as could easily be managed, and when, if she should become rigorous to her distant children, they were sure of being welcomed to the protection of a great Protestant power, now preparing to contest with her the empire of the seas — that the Massachusetts people ventured on what was liable to be interpreted as a pretension of independent sovereignty. They undertook to coin money. The brisk trade with the West Indies introduced a quantity of Spanish silver; and along with it there was "much counterfeit coin brought into the country, and much loss accruing in that respect."[2] The General Court established a mint, and appointed John Hull, a goldsmith, to be mint-master. He was to receive "bullion, plate, or Spanish coin," and convert it "into twelve-penny, six-penny, and three-penny pieces, which should be for form flat, and square on the sides, and stamped on the one side with N. E. and on the other side with xii^{d}, vi^{d}, and iii^{d}, according to the value of each piece, together with a privy mark, which should be appointed every three months by the Governor, and known only to him and the sworn officers of the mint." Each piece contained three quarters as much silver as the English coins of the same denomination; and this money and sterling money were declared to be the only legal tender, after three months from the date of the Act.[3] By a later vote

Coinage of money.

1652. June 10.

[1] Winthrop, II. 96, 334.

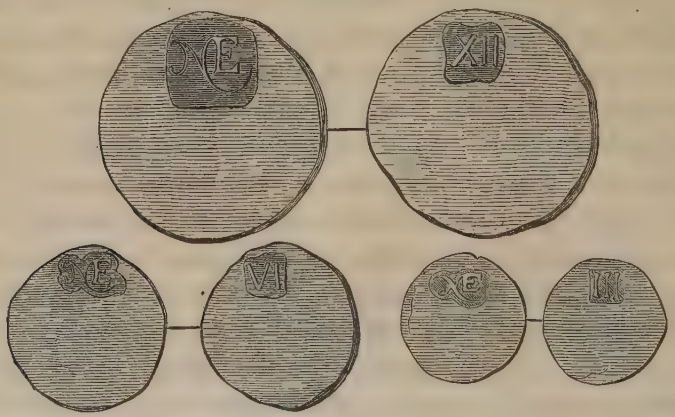
[2] John Hull, Diary, in Archæol. Amer., III. 145.

[3] Mass. Rec., IV. (i.) 84. — It seems that no pieces "square on the sides" were ever coined. Within a few days after the passing of the order, a committee appointed to oversee its execution "determined and declared that the officers for the minting of money should coin all the money that they minted in a round form." (Mass. Archives, C. 40; comp. Archæol. Amer., III. 288.) There are specimens of this money —

in the same year, "for the prevention of washing or clipping," it was ordered "that henceforth all pieces of money coined as aforesaid should have a double ring on either side, with this inscription, Massachusetts, and a tree in the centre, on the one side; and New England, and the year of our Lord, on the other side."[1] The coinage was continued for more than thirty years, and different dies were in use from time to time; but all the money of the denominations now specified preserved the date of the year when the mint was established.[2]

Oct. 26.

a thin disk of silver, inscribed according to the order — in public and private collections in this country; though they are far from common. The following cut represents them. Sixpenny pieces are much more rare than shillings, and the threepenny piece belonging to Yale College is perhaps unique.



Folkes (Table of English Silver and Gold Coins, 98) and Ruding (Annals of the Coinage, &c., II. 304 – 307) both give an account and a representation of these pieces. Ruding (Ibid., III. 368) quotes Thoresby as saying that in New England they were called *North-Easters*.

[1] Mass. Rec., IV. (i.) 104. — Hutchinson's statement (History, I. 165), that "a very large sum was coined," seems not to accord with what we now know of the financial administration of the College as late as 1659. (See above, p. 399, note.) But, on the other hand, there was so large an exportation of this coin, as was thought to require, in 1654, a prohibitory law. (Mass. Rec., IV. (i.) 197.)

[2] There were as many as sixteen different dies of the second form of the shilling-piece. In the valuable collection of my friend and neighbor, Mr. Stearns, there are sixpences from four different dies, and threepences from two. The largest pieces are commonly known by the name of *pine-tree shillings*. But there is no legal authority for this. The rude form of a tree on the obverse, taken from the design entered

The course of many of the principal founders had now been run. William Bradford was in his sixty-eighth year when he died. For thirty-seven years he had been the foremost man of Plymouth Colony. His utterly unselfish public spirit, his good judgment, his courage, activity, impar-

Death of Bradford 1657. May 9.

on the Journal of the Court, has no special resemblance to a pine; nor do the formal documents contain any designation of that kind. The earliest mention of it, that I am acquainted with, occurs in a petition, in 1680, for the establishment of a free mint. (Archæol. Amer., III. 300.)

The New-England reader does not need to be informed that the names of money introduced with this currency have not yet gone quite out of use. A shilling, though we have no coin of that name, is, in New-England nomenclature, a sixth part of a Spanish dollar. People, not yet very old, remember when accounts were commonly kept in pounds, shillings, and pence; the pound signifying $ 3.33⅓, that is, three quarters of the estimated pound sterling, as the silver pieces of the colonial coinage were worth three quarters of a sterling coin of the same denomination.

A learned treatise on the whole subject of the Massachusetts coinage, from the pen of Mr. Edward Everett Hale, is in the "Archæologia Americana," III. 281 – 306; comp. 315.

The following is a representation of pieces of money belonging to the coinage prescribed in October, 1652,

and to a later coinage of pieces of the value of twopence, which will be mentioned hereafter. (See below, pp. 524, 525.) In the legend, the reader will observe a slight deviation from the order of the Court. *Masathusets* is the uniform spelling on the face of the coins.

tiality, and capacity for affairs, made him the object of a perfect confidence. Entering upon middle life with a very scanty stock of book-knowledge, he was diligent in the cultivation of his mind, and continued to learn as he grew old. Besides the Dutch and French languages, says Cotton Mather, "the Latin and the Greek he had mastered; but the Hebrew he most of all studied, because he said he would see with his own eyes the ancient oracles of God in their native beauty."[1] That his poetry was not inferior to that of his contemporaries in Massachusetts who had been lights of the English universities, may claim no high praise in other respects; but it shows the versatility of his talents. He was as tender as he was firm and practically wise. He lived and died beloved as much as reverenced. He was "lamented by all the Colonies of New England, as a common blessing and father to them all."[2] His conscientiousness was absolute. His earnest piety was calm and tolerant. His independence of spirit and intrepidity in action were as free from rashness as from rancor. Few names in history are associated with more of the distinctive attributes of a noble soul than the name of Bradford. It is not likely that the thought of being remembered in later ages ever crossed his mind; but among the last things to be forgotten by man is that movement of human affairs in which he took an eminently worthy part.

After Bradford, — or after Bradford and Brewster, — the first Colony owed to no man so much as to Edward Winslow. Always intelligent, generous, confident, and indefatigable, he was undoubtingly trusted for any service, at home or abroad, which the occasions of the infant settlement happened to require. Were the Northeastern fishermen to be sought for a supply of food in a famine; or was the Indian chief, whose capricious moods needed watching, to be looked

Death of Winslow. 1655. May 8.

[1] Magnalia, Book II. Chap. I. § 9. [2] Ibid., § 10.

up in his forest solitude; or the Governor's place to be taken that the regular incumbent might have some rest; or Massachusetts to be dissuaded from too austere severity; or, finally, were the rulers of affairs in England to be made propitious,—the natural resort was to the agency of Winslow. For foreign employment, his better birth and breeding gave him advantages over his fellow-emigrants. Among the gentlemen of the British Parliament Winslow moved as one of themselves; and his address and winning qualities, no less than his sagacity and diligence, justified the choice which, when he went abroad for the last time, the larger Colony overlooked her own statesmen to make. That Winthrop, by a sympathy of character, was so capable of estimating him, was on this occasion the good fortune of Massachusetts. Bradford grievously missed from his side the partner of his early struggles.[1] Cromwell saw at once the worth of the honest, religious, capable, strenuous envoy from North America, and took care never to lose his services while he lived, which was for nine years after he left Plymouth for the last time. Distress at the failure, through military mismanagement, of the attempt upon St. Domingo, which he was superintending for the Protector, is thought to have brought on his fatal illness. Now that Bradford was old, Plymouth could not have sustained a greater loss. But it was delayed till Plymouth had been set upon a secure foundation.

In the next year, the Colony had to celebrate the obsequies of its military chief. There is a touching peculiarity in the relation of Standish to his associates. Nature, endowing him with valor, quickness of apprehension, and good judgment, had qualified him for business and for war. Of his other peculiarities nothing has been recorded, except that he was of small stature, and of a hasty temper.[2] Born of a good family, it was probably while serving in

Death of Standish. 1656. Oct. 3.

[1] Bradford, 444.

[2] Young, Chronicles of the Pilgrims, 126, 339.

an English regiment in the Netherlands that he fell in with the company of English peasants, who, for conscience' sake, were struggling for a livelihood by the practice of unwonted handicrafts at Leyden; and thenceforward he attached himself to them for life. Standish was no religious enthusiast. He never professed to care for, or so much as to understand, the system of doctrine of his friends, though he paid it all respect, as being theirs. He never was a member of their church. But their honest, self-renouncing piety fascinated him wholly. He crossed the ocean with them, receiving as much from their manly affection as he contributed to them by his ready practical resource. In the wretchedness of the first winter he nursed sick men, women, and children, and at the same time built a battery and drilled a platoon for defence against Indian hostility. He had no ambition except to do for his friends whatever from time to time they thought fit to charge him with, — whether it was to frighten the Narragansett or Massachusetts natives, or to forage at Nauset for provisions, or to hold a rod over disorderly English neighbors, or to treat with merchants on the London exchange. In the misery of the early settlement, especially, the reader does not fail to reflect what relief must have been afforded by reliance on a guardian so vigilant and so manful.

Death of Partridge. 1658.

The life of Ralph Partridge, minister of Duxbury, extended to the last year to which the history of Plymouth has been now brought down.[1] He must be regarded as the clergyman who exerted the most

[1] The name of this minister was a special godsend to Cotton Mather. "Being distressed by the ecclesiastical setters, he had no defence, neither of beak nor claw, but a flight over the ocean. The place where he took covert was the town of Plymouth. . . . . This Partridge had not only the innocency of the dove, conspicuous in his blameless and pious life, but also the loftiness of an eagle, in the great soar of his intellectual abilities." He was "so afraid of being anything that looked like a bird wandering from his nest, that he remained with his poor people till he took wing to become a bird of Paradise, along with the winged seraphim of heaven." Mather's *Epitaphium* upon Partridge is "Avolavit." (Magnalia, Book III. Chap. XI.)

influence over the early ecclesiastical transactions in that Colony; for Dunster, Street, Hooke, and Norton, though men of still superior ability, were connected with its churches for only a little time. His estimation in the other Colonies is proved by his election to be the associate of Cotton and Mather in preparing for the Cambridge Synod their "Model of Church Government according to the Word of God." When Chauncy made known his heretical opinions on baptism, 1641. Partridge was thought to be the most competent person in the Colony to manage the dispute with him.

In Massachusetts, Cotton had died six years before this time, surviving his friend the first Governor by four years. "If Boston be the chief seat of New England," wrote Mather, his grandson, "it was Cotton that was the father and glory of Boston."[1] This is excessive praise. The personal estimation in which he was held was high, but his influence over public affairs was controlled by men of superior qualifications for governing. Winthrop loved him, and used largely his abilities for the public service, but took good care that the reins should never be yielded to his hands. His draft of a code of laws was quietly set aside for that of Ward.[2] His championship of Vane and Mrs. Hutchinson

Death of Cotton. 1652. Dec. 23.

[1] Ibid., Chap. I. § 1; and again, in the *Epitaphium:* "Cujus ultima laus est, quod fuerit inter Nov-Anglos primus." (Ibid., § 34.) Comp. Hubbard, History, 182.

[2] Ward died in England, the year after Cotton, at Shenfield, in Essex, of which place he was the minister. He was a confident, a restless, and, in words at least, an intolerant man; but extremely able, thoroughly honest, and, on the whole, eminently serviceable. His Body of Liberties is a sort of Magna Charta of New England.

Mr. Savage thinks (Winthrop, II. 167, note) that Ward sailed from Massachusetts with Winslow in December, 1646. Perhaps it was intended that Winslow should have his advice in the important business on which he was employed. Possibly Ward was discontented after the defeat, in 1644, by Winthrop's party, of his measure of a popular commission to manage affairs in vacations of the General Court. (See above, p. 158.) At his departure he gave to the College six hundred acres of land near Andover.

The very valuable library of Colonel Aspinwall, lately United States Consul at London, contains a copy of a sermon preached by Ward, in 1647, be-

was, with respectful tenderness, but with unflinching vigor, resisted and put down. His leaning to a semi-Presbyterianism, prompted partly by a talent for organization, and partly by a love of power unsuspected by himself, was watched and overcome. He was far from being the ruling spirit of the Colony. Probably he did not individually influence its destiny so much as he supposed. But, acting with others, and advised, instructed, and checked by them, he rendered it memorable service. If he was disposed to magnify his office, still it was with reserve and meekness; if, in some sense, his self-estimate was high, he was not obstinate, or overbearing, or passionate, or self-seeking. There was no mistake in the opinion which his neighbors universally entertained of his devoted piety. Faith in things unseen was his steady principle of action. He honestly consecrated his life to the service of God. Prosperity could offer no attractions to allure him, hardships and dangers had no power to deter him, from that employment of his talents. His talents, developed by the best education England afforded in his day, were such as fitted him eminently to shine in the sphere in which he stood. He had acuteness and learning for controversy, a moving eloquence for the pulpit, and an affectionate and winning address and a knowledge of common business, which, in the less public duties of the sacred office, secured to him great power. Cotton was no dictator of the affairs of Massachusetts; but he served her with conscientious diligence, as well as with

fore the House of Commons, whom he rebukes in round terms for their acquiescence in the seizure of the King's person by Cornet Joyce. It is a production of the highest curiosity. The author's "Simple Cobler of Aggawam" is not more brilliant and witty, to say nothing of the boldness of such a homily in such circumstances. I believe that, at the time of preaching the sermon, Ward was seventy-seven years old.

"I could not be master of my thoughts and memory," Ward says in a prefatory letter, "but forgat some things material, and expressed two or three passages inconveniently. . . . . I was very loath to read my notes; had I done it, I presume I had not offended any; but my judgment is altogether against it." It seems from the same Preface, that he "was not thanked or ordered to print."

conspicuous ability, and has a right to be remembered with the most meritorious of her early benefactors.

In the next year the many days of Thomas Dudley were numbered and finished.[1] He had been four times Governor, Deputy-Governor thirteen times, and Major-General of the militia in other years. His well-known capacity, experience, and scrupulous fidelity to every trust, made him an object of implicit respect. His integrity was unimpeachable; his superiority to influences of human blame or favor was above question; the fear of God was an ever-present and deciding motive to him; no man, in public action, had a more single eye to the public welfare. But Dudley's was one of those characters in which virtue does not put on her gracious aspect. He belonged to the class of men who are commended, confided in, and revered, but not loved. If hasty, he was not revengeful; he never meant to be unjust, and he did sincerely mean to be magnanimous; but he wanted the qualities that conciliate and win. Strictly true to his own engagements, he expected a like precision from others, and was thought to exact it with too great rigor. He was positive, prejudiced, undemonstrative, austere. When he was gentle and generous, it seemed to be more from conscience than from sympathy, so that even benefits from him won approval rather than affection. It might be expected of such a man, that he would find it hard to tolerate a difference of religious opinion; and it is recorded of Dudley, that after his decease some lines expressive of that form of narrowness were found in a pocket of his dress.[2] He was not alone in cherish-

Death of Dudley. 1653. July 31.

[1] Dudley was fifty-four years old when he came to New England in 1630.

[2] The lines, twenty in number, are preserved by Mather (Magnalia, Book II. Chap. V. § 1). They conclude thus: —

"Let men of God in courts and churches watch
O'er such as do a toleration hatch,
Lest that ill egg bring forth a cockatrice,
To poison all with heresy and vice.
If men be left, and otherwise combine,
My epitaph 's, 'I died no libertine.'"

Such clamorous assertions of an intolerant spirit are themselves a forcible indication of the existence in other minds of a different tone of feeling, which it was thought necessary to rebuke.

ing it. Others among his eminent fellow-laborers were perhaps ready to act on his harsh maxims of this kind, if a sounder public opinion, countenanced and fostered by minds of more calmness and comprehension, had not disabled and controlled them. But, on the other hand, it is not safe to draw exact inferences as to men's character and deliberate plans from their animated expressions in speech, or even in writing. In the warmth of controversy the thought and feeling of the moment are not seldom uttered with a vehemence which inexactly represents the permanent purpose of the mind; and constantly it is seen that men trusted with authority, properly impressed with its responsibilities, and brought to look at practical questions with the dispassionate scrutiny which its possession rightfully requires, adopt in action a course of lenity and good sense different from what had been foreshadowed by their less well-considered words.

Roger Ludlow.

Roger Ludlow, one of Dudley's early associates in Massachusetts, seems at first view to have resembled him in some points of character. But the resemblance was not close. Both had traits fitting them to take a lead in business; and both were obstructed by their want of suavity, and of an aptitude for accommodation. But in Dudley a sense of duty, if sometimes perverted or only partially operative, was always paramount, while Ludlow's pertinacity was apt to be passionate and wilful; his better qualities were mixed with an alloy of personal ambition and of jealousy of associates, with which Dudley could not be charged; and repeated disappointments and mortifications, which his morbid self-reference both provoked and made keener, impaired his self-respect and disturbed his sense of obligation. The worst mischief of a course of opposition and defeat is experienced when, generating ill humors, it hinders a cheerful perseverance in useful action. Ludlow, after a restless career in Massachusetts, left that Colony in dis-

gust at what he thought injustice to his deserts, though he had repeatedly received almost the highest tokens of public esteem. By his new neighbors in Connecticut he was treated with scarcely greater favor. He sometimes represented them in the federal congress; but they never elected him to the highest office in their government, and only twice to the second; and this penurious confidence must have occasioned him the more chagrin, because Haynes, the ruler first preferred to him in Connecticut, was the person whose promotion in Massachusetts had probably been one of the motives for his departure thence. His new associates did not like his project of founding a remote settlement under their jurisdiction, though they indulged him in it, as a man bent on having his own way, and worth gratifying.[1] But when the Massachusetts people refused to go to war with the Dutch, he could not control his indignation. His companions at Fairfield resolved to wage the war on their own account, and made him commander of their levy.[2] 1653. November. Discountenanced in this rash step both by Connecticut and by New Haven, he gave free way to his resentment, and in the following spring, after twenty-four years of residence in New England, withdrew himself to Virginia, never to return.[3] His departure from New England. 1654. May.

Ludlow left what possibly might even yet have proved a more open field to him in Connecticut; for Haynes died just before his departure, and Hopkins had gone to England the year before.[4] These men, the Death of Haynes. March 1.

[1] See Vol. I. 538.

[2] N. H. Rec., II. 47.

[3] He went away in the midst of a quarrel with New Haven, about the vessel in which he embarked. (Ibid., 69–75.) Neither the time nor the place of his death is known.

I think it probable that Ludlow's agency was important in the quarrel between the western Colonies and Massachusetts. He was one of the Commissioners for Connecticut during the whole of its progress. He was an able, an irascible, and a headstrong man. He had long ceased to feel kindly towards Massachusetts. His plantation had been much harassed by the Indians; and he was very strenuous for the war with the Dutch.

[4] Winthrop the younger was now at

chief rulers of Connecticut, through nearly a score of its earliest years, had never lost for an hour that public confidence which was won by their sterling worth and wisdom, their generous, active public spirit, and their eminence in all Christian graces. Haynes was a man of family as well as of fortune; and the dignified and courteous manners, which testified to the care bestowed on his early nurture, won popularity by their graciousness, at the same time that they diffused a refining influence by their example. Deliberate, unimpassioned, firm, secured against solicitude and fear by the consciousness of a mind competent in its resources and consecrated to the pursuit of worthy ends, he acquitted himself of his great task with uniform manliness, discretion, and serenity. His colleague, resembling him in substantial merits, appears to have been a person, if not more impetuous, more fond of action. Hopkins, rather than Haynes, was prominent in the combinations and disputes among the sister Colonies. His previous occupation, — that of a merchant in London, — while it accumulated for him a fortune which he bountifully dispensed in public uses, had exercised and ripened that practical talent for which, in the *trio* of the great early names of Connecticut, he was conspicuous. Engagements occasioned by the death of a brother caused him to make what he intended for a short visit to England. But he did not return. Cromwell bespoke his services. He was made a Warden of the Fleet and Commissioner of the Admiralty, and was a member of the Protector's last Parliament when he died, four years after recrossing the water. By his will he dedicated nearly the whole of his property in New England, besides five hundred pounds from his estate elsewhere, to "the breeding up of hopeful youths in a way of learn-

Departure of Hopkins. 1653.

His death. 1657. March.

Nameaug in the Pequot country; but his settlement had only very recently been considered as within the limits of Connecticut. See above, p. 379, note.

ing, both at the grammar school and College, for the public service of the country, in future times;" and the public grammar schools of New Haven, Hartford, Hadley, and Cambridge do their part in keeping alive his memory at this day. The residue of his property in America he bequeathed to other charitable uses.

The distinguished career of Hopkins's friend and relative,[1] Governor Eaton of New Haven, came to its close in the following winter. Through the nineteen years since the foundation of that settlement, he had always been at the head of its government. The abilities which in England had raised him to fortune and to diplomatic station, in America found exercise, sufficient to content him, in building up what he hoped would be perpetuated as a pure community of Christians. Other good and able men shared in the labors which provided for New Haven its inheritance of honor and of prosperity; but no element of its honor and prosperity can be dissociated from the names of Eaton and Davenport. The accounts which have been transmitted to us of the Governor testify with one voice to the perfect confidence which was reposed in the uprightness and wisdom of his public administration, and to the admiration entertained for the virtues and accomplishments which were exhibited by him in all relations and offices of private life. The Colony voted to defray the charges of his burial; to relieve his estate from taxes for a year; and to commemorate his worth by the erection of a monument. "Eaton," — such is part of the inscription upon it, more affectionate than tuneful, —

Death of Eaton. 1658. Jan. 7.

> "Eaton, so famed, so wise, so meek, so just,
> The Phœnix of our world, here hides his dust;
> This name forget New England never must."

[1] See Vol. I. 537, note 2.

CHAPTER XI.

THE autocracy called the *English Commonwealth* scarcely survived the great Protector. Whether he would have been able to maintain it much longer, may well be questioned. At all events, no arm less vigorous than his was equal to the task.

Yet this was not at once apparent. It was said that Cromwell, as he approached his end, named his oldest son as successor to his dignity. Richard was proclaimed accordingly, and assumed the government without opposition. In Ireland, his brother was Lord Lieutenant; and in Scotland General Monk, who commanded there, acknowledged his title. The fleet and the army were obsequious; addresses of congratulation flowed in from all quarters of the kingdom; and the ministers of foreign courts paid the compliments customary on the accession of a monarch.[1]

Accession of Richard Cromwell.

Unlike his younger brother Henry, who had distinguished himself in the field and in civil trusts, the new Protector, now thirty-two years old, was a man of moderate abilities and of a sluggish nature. Not deficient in

[1] May 25th, 1657, the Protector Oliver gave leave to the Independent ministers to hold a national Council. The delegates to it, about two hundred in number, met at the Savoy, in the fourth week after his death, and were a fortnight in session. In a "Declaration" which was the fruit of their consultations, they avowed their "full assent" to the Confession of Faith of the Westminster Assembly "for the substance of it." An Appendix, treating "of the Institution of Churches, and the Order appointed in them by Jesus Christ," contains an exposition and defence of the Independent plan. "We have endeavored to follow Scripture light," says the Declaration, "desirous of nearest uniformity with Reforming churches, as with our brethren in New England, so with others that differ from them and us." The spirit of this assembly was eminently tolerant. The "Declaration" is in Hanbury, "Historical Memorials," III. 315 – 549.

the qualities which procure respect and good-will in private life, he had done nothing to attract general favor to his name; and he had no hold on the affections of that army, which, ever since his childhood, had been the instrument for governing England. In short, his personal attributes and position were not such as to qualify him to control the boisterous element on which he was launched.

It does not belong to the purposes of this work to describe in detail the steps which led to a new submission of the people of England to the baneful family of the Stuarts. The royalist churchmen — Romanists and *Laudists* — had never ceased to be numerous.. The Presbyterians, who began the civil war, had been degraded and angered. Familists, Ranters, Fifth-Monarchy men, — sectaries of many names, — divided as to the changes they respectively hankered after, were agreed in disaffection to the existing order of things. Republicans were dissatisfied that there should be any Protector; and fortunate soldiers thought, each for himself, that the inheritance of Cromwell's honors properly belonged to them. At all times there is a large portion of every community which cares for nothing so much as for present repose. The mass of the people of England were weary, to disgust, of uncertainty, of strife, of political novelties, and of heavy taxes. With bitter mortification many of the best men of England found themselves compelled to the conclusion, that the less evil of the hard alternative which existing circumstances presented was the re-establishment of the throne; many other men desired it merely that they might have quiet; and many, that they might have remuneration and revenge.

State of parties.

One of the first things brought to the knowledge of the new sovereign was that he needed money; and to obtain it he convoked a Parliament. The writs for elections to the House of Commons recognized the ancient constituencies of the realm; "the other House" was that which

had been constituted by the late Protector. The forces prepared for conflict were brought into each other's presence. The royalists could not as yet avow their objects, but might not the less effectively pursue them by interjecting embarrassments and fomenting jealousy. Besides them, three parties appeared. One consisted of the friends of the Protector. Another — composed of the strict Republicans, and called *the Wallingford-House party*, from the place of its meeting — desired to establish a divided authority by restricting him to the civil administration, and placing his brother-in-law, General Fleetwood, at the head of the army. A third, which avowed no more definite object than that of maintaining "the good old cause" and the rights of the soldiery, was under the influence of General Lambert, who aspired to the supremacy which had lately belonged to his companion in arms.

Parliament of Richard. 1659. Jan. 27.

This party, having obtained the Protector's inconsiderate consent to establish a standing council of officers, had raised itself to a condition to dictate his course; and, under a threat from it of being deserted by the troops, he dissolved the Parliament, which had given it offence by demanding some engagements of allegiance.[1] Such a confession of weakness discouraged his friends, and thenceforward he exercised no real authority. Fleetwood, whom he had made Lieutenant-General, also found it unavoidable to yield to the dictation of the military council. After unsatisfactory discussions as to what should next be done, the council concluded to reinstate the Long Parliament; and seventy members of that body were brought together. They assumed the supreme authority, and appointed a Committee of Safety and a Council of State. Agreeably to a respectful request of theirs, — softened by a promise, which was not

April 22.

May.

[1] Burton, Parliamentary Diary, &c., IV. 472 – 483; Ludlow, Memoirs, &c., II. 641, 642.

kept, of a yearly income of ten thousand pounds, — Richard withdrew from the palace of Whitehall, to pass the rest of his many years as a private gentleman. He lived to be successively the subject of three dynasties after his own. His abdication. July.

The Parliament and the army were not long in getting up another quarrel. Lambert, who was the more feared for a victory which he had lately won over the Earl of Derby and other royalist insurgents, and Desborough, the late Protector's brother-in-law, with seven field-officers, were cashiered by a vote of Parliament, for signing what was accounted a seditious petition; and Fleetwood was degraded from the chief command to be one of seven commissioners invested with that trust. Parliament surrounded its place of meeting with a military guard. Lambert mustered a larger force, with which he turned the members back, as they were proceeding to their places. The soldiers of the contending parties fraternized; and, at a conference between the leaders, it was agreed that a council of officers should digest a new plan of government, to be submitted to the consideration of a new Parliament. Lambert believed the long dream of his ambition to be near its fulfilment. He was made Major-General of the forces in Great Britain, though the titular dignity of Lieutenant-General was conferred on Fleetwood. A Committee of Safety, consisting of twenty-three persons, was provisionally invested with the civil authority.[1] Aug. 20. Oct. 12. Oct. 13.

"Honest George Monk," as he was fancifully called, now commanded seven or eight thousand troops in Scotland. In the beginning of the civil war he fought for the King; but, being made prisoner by Fairfax at Nantwich, as the royal prospects grew dark, he George Monk.

[1] Here comes to an end the Journal of the *Council of State*, which fills twenty-four volumes. The last entry is dated October 25th of this year, twelve days after the expulsion of *the Rump* by Lambert.

took service with the Parliament when he was discharged. Phlegmatic, taciturn, and with no pretension to religious fervors, he had raised himself to importance by courage and conduct in the field. From the North country he had been keeping a wakeful eye on Lambert.

Probably it will never be known how early he was in communication with the King. His mind was so far made up, and his provisional arrangements were so matured, that, immediately on receiving intelligence of the last dispersion of the Parliament, he moved southward, though by slow marches, with nearly all his force. Lambert led seven thousand men against him;[1] but was cajoled into inaction by Monk's parade of entering into negotiations with the superiors of both in London. The tenor of Monk's operations at the capital was not disclosed to his military antagonist. He was in correspondence with numbers of friends of the late Parliament, and with officers and others hostile to the existing authority. The Committee of Safety saw the rising storm, and sought to allay it by proceedings for the immediate convocation of a Parliament. But a movement had been organized, too powerful for them to withstand. The soldiers in the city clamored for the old Parliament; and again, and for the last time, the remains of that body, commonly called *the Rump*, took possession of its house. Desborough fled to Lambert's camp. Fleetwood sought the Speaker, and surrendered his commission. A Council of State, and a Committee for the Gov-

December.

Dec. 26.

[1] Among the "Winslow papers" belonging to the Massachusetts Historical Society is a letter of William Davis of Boston to Governor Prince of Plymouth, dated January 25, 1660, and communicating intelligence just received by Davis from a correspondent in England. Davis reports the anxiety that was felt there for the result of the expected conflict between Monk and Lambert for the occupation of Newcastle, and adds: "Solicitous endeavors for a General Governor for New England were with the Parliament, which, Mr. Maverick writes, was voted affirmatively the Saturday before their dissolution, which is not believed." I suppose this must have been a groundless rumor.

ernment of the Army, were appointed. The commissions of unfriendly officers were cancelled; and orders were sent to Lambert and the most considerable of his partisans in the camp, to withdraw to their homes, — orders which, after the recent transactions in London, they could not resolve to disobey.[1]

The further devices of Monk need not be recounted. He blinded the Commonwealth's men, and kept the royalists in suspense, till he saw that the safe moment for action had come. He quartered his soldiers in Westminster, and himself in Whitehall. By a recommendation, which in the circumstances was a command, he restored to their seats in the House the Presbyterian members who had been expelled. The Parliament, thus reinforced, named him commander-in-chief; again, as far as a vote could avail, made Presbytery the rule of the Church of England; and issued a summons for the meeting of a new Parliament. By its own vote, a session of less than three months ended in its final dissolution.

Monk's occupation of London. 1660. Feb. 3.

Feb. 21.

March 15.

The *Convention* Parliament — as it has since been called, because it was not summoned by the King's writ — came together on the early day appointed. The course which it would take was easily foreseen from the result of the elections. Lambert escaped from the Tower, to which he had been committed by the Council, and collected some troops in Warwickshire. Against him, Monk despatched a force under Colonel Ingoldsby, who was desirous of atoning for his vote in the High Court of Justice for the death of the late King. Deserted by some of his soldiers, Lambert was taken prisoner, and with insult was led back to the Tower.

Convention Parliament. April 25.

April 11.

[1] The Fairfax papers contain a very interesting account of communications, at this moment, between Monk and Lord Fairfax, who, since he had resigned the command of the army, nine years before, had been living in retirement. (Memorials of the Civil War, II. 151 – 171.)

The Parliament had scarcely been organized, when Sir John Grenville, who had before been a confidential messenger to Monk, presented himself to the two Houses with letters from the King, who, by Monk's advice, had come to Breda in Brabant.

The letters were accompanied with what was called the royal *Declaration*. In it the King promised a free pardon to all persons, except such as should be excepted by Parliament, for offences committed during the late disorderly times; indulgence to private consciences in matters of religion; an uncontrolled decision by Parliament of questions relating to property which had been alienated by confiscations or fines; and the payment of arrears due to the army, with its continuance upon the actual footing. A large majority of the Lower House consisted of persons who had acted with the popular party; and they did not fail to see the desirableness of obtaining some security for the fulfilment of these engagements, and of causing them to be expressed with more explicitness and precision. But such arrangements would require time; and it was thought that, at so critical a juncture, time could not by any means be afforded. While negotiations were pending, the soldiers might again come to an understanding together, and consolidate, under a single head, that power which, when not disunited, was irresistible. In adjusting the terms of an agreement with the King, Presbyterians and Episcopalians, now alike eager for his return, would be sure to quarrel. The precious moment of opportunity for an escape from the evils which were experienced and dreaded was not to be lost, even though, in profiting by it, serious hazard was incurred.[1]

The Houses resolved that the government of England was, and ought to be, by King, Lords, and Commons. They voted a present to Charles of fifty thousand pounds,

[1] Baxter's account (Reliq. Baxterian., I. 216) of the considerations by which the Presbyterians were moved to promote the Restoration is deeply touching.

and ten thousand and five thousand pounds respectively to his brothers, the Dukes of York and Gloucester. Admiral Montague was despatched to Scheveling with a fleet. The Duke of York went on board, and hoisted his flag as Lord High Admiral. At Dover, in the presence of an immense throng, that covered the beach and the heights, the King was greeted by Monk. Crowds, lining the road to London, poured out their joyous acclamations. As he approached the capital, he passed between the ranks of the army, and met the view of eyes which had seen him last at Worcester. The dignitaries of the City came in procession across London Bridge to do him homage. Flags waved on the turrets. Tapestries hung on the walls of the houses. Young and old filled the windows, and covered the roofs. Flowers strewed the pavement. Bells, cannon, and trumpets uttered their noisy welcome. Fountains ran with wine. Regiments of horse and foot went before and followed. Shouts rent the air. On horseback, between his brothers, Charles passed to Whitehall; and Englishmen, after twenty years of costly struggle, were again vassals of the head of the house of Stuart.

May 25.

Entry of Charles the Second into London. May 29.

It is a misery of human affairs, that sometimes they present only such a choice among evils as appears to require the elevation of unworthy men to the most exalted places. The justice of England has provided the workhouse and the treadmill for the use of persons of habits and tastes like his whom her sad necessity now raised to be the head of her Church, the master of her sages, the pattern of her gentlemen, the object of reverential loyalty to her divines and her magistrates, to her teachers and her youth, to her maids and matrons. With no honest purpose to direct his life; utterly without sense of responsibility for the right fulfilment of a vast trust; surrendered, with all his faculties, to a libertinism gross and shameless; unconscious even of dishonor in

taking bribes from abroad for the supply of his vices; an infidel in his hours of wantonness, and a Romanist in the pensive hours which followed some extraordinary debauch; — such was the prince with whom sober, religious Protestant England was to renew her experiment of monarchy.

The first period of the reign of King Charles the Second is occupied by the ministry of the Earl of Clarendon, which extended through seven years. Edward Hyde, a man of good family and bred to the bar, had been a member of the Long Parliament, in which at first he took the popular side. But, three months before the late King began the war, Hyde, who had then been a year or more in private correspondence with him, withdrew from the Parliament, and joined him at York.[1] His services were welcomed as of the utmost value; and, in the management of the King's business and the preparation of papers addressed to Parliament and to the people, Hyde and Lord Falkland were the persons chiefly employed. After the negotiation at Uxbridge, Hyde was sent to the West of England with Prince Charles, whom in the following year he accompanied to the Isle of Jersey. There he employed himself two years upon his "History of the Late Troubles." After the King's execution, he joined the prince at Paris, and was sent by him on an embassy to Spain. Returning thence, he received the appointments, first of Secretary and then of Lord Chancellor, and became the director of the affairs of the exiled family.

The Earl of Clarendon.

Hyde was a man of ability and resolution; faithful and vigilant in all that related to his master's interest; bigoted in his attachment to the royal prerogative, and to the Episcopal Church of England. Free from the vices of the libertine court of which he was the guardian, his strictness would have deprived him of the prince's friendship, if his wisdom and activity could have been dispensed with. His bearing to equals and inferiors was uncom-

[1] Life of Edward, Earl of Clarendon, written by Himself, I. 91 – 139.

promising, arrogant, and harsh; and Puritanism and Puritans he hated with a vindictive animosity. In the train of the restored King he came back to England as Lord Chancellor, after an absence of fifteen years, in which time England had changed in many things, and he in scarcely anything except age and the temper induced by the irritating experiences of exile. His capacity and past services marked him out for the head of the government. He was created Earl of Clarendon; and his confidential friend, Sir Edward Nicholas, was made one of the Secretaries of State, William Morrice, a retainer of General Monk, being the other.

The course of early proceedings tended on the whole to quiet the apprehensions of those who had reluctantly acceded to the recall of the King. The Earl of Manchester, formerly General for the Parliament, was made Lord Chamberlain; Edward Montague, the Parliament's Admiral, now created Earl of Sandwich, was placed in command of the fleet; the privy seal was given to the venerable Lord Say and Sele; Hollis, so prominent in the early opposition of the Long Parliament to the court, was raised to the peerage. In the circumstances, nobody complained of the elevation of George Monk to be Duke of Albemarle. The judicial proceedings of the time when the royal authority was in abeyance were ratified by Parliament. An Act of Indemnity was passed, after a vigorous struggle, especially in the House of Lords, to make its terms less indulgent. It excepted from mercy those who had been directly concerned in the death of Charles the First, to whom were added Vane and Lambert by name.[1] After granting the avails of the tonnage, poundage, and excise duties to the King for his life, and making provision for reducing the army and for discharging the arrears of its pay, the Parliament was adjourned.

Early proceedings after the Restoration.

Sept. 17.

[1] Statutes at Large, II. 649.

The trial of the regicides was not to be delayed till the angry loyalty of the time might have opportunity to grow cool and merciful. No sooner was Parliament dispersed, than a special commission, constituted of thirty-four persons, — great officers of state and others, — was assembled to judge and to doom. The trials lasted ten days. Twenty-nine persons were arraigned, all of whom were convicted and sentenced. The punishment of nineteen was, by a royal grace, commuted for imprisonment. The rest suffered death with all the horrible accompaniments prescribed by the English law of treason as it then stood. Among them were Colonel Axtel and Colonel Hacker, who respectively were in command of the guard at the King's trial and at his execution; Coke, who had acted as public prosecutor; and Major-General Harrison.[1] The remains of Cromwell, Bradshaw, and Ireton were disinterred, and hung on gibbets in conspicuous places of London.

Trial of the regicides. Oct. 9.

The fate of one of the sufferers at this time appealed especially to the compassion of the people of New England. Hugh Peter had been one of the Company of Massachusetts Bay before the emigration. Following the pioneers almost immediately, he became the admired minister of one of their churches, a counsellor largely trusted through a period when the new social fabric was in imminent danger of overthrow, and a contriver and guide in methods of industry which proved to be copious sources of public wealth. He had established what seemed a permanent position in New England, and had given his step-daughter in marriage to Governor

Hugh Peter.

[1] "Exact and most Impartial Accompt of the Indictment, Arraignment, Trial, and Judgment (according to Law) of twenty-nine Regicides, the Murtherers of his late Sacred Majesty of most Glorious Memory, ... together with a Summary of the Dark and Horrid Decrees of those Caballists, preparatory to that Hellish Fact, exposed to View for the Reader's Satisfaction, and Information of Posterity." A book of more horrible fascination than this is scarcely to be found. The several methods of defence are extraordinary illustrations of the characters and ways of thinking of the several prisoners.

Winthrop's eldest son. But, after seven years' residence, he returned to England, early in the civil war, with the purpose — if one of the witnesses on his trial reported truly his unguarded talk — of "stirring up of this war and driving of it on."[1] He became a prominent "agitator" among the soldiers.[2] He put himself forward at the trial of Laud, and at the execution of that prelate stood armed upon the scaffold. At the siege of Bridgewater, the siege of Winchester, and the storming of Bristol, he did active service. In Cromwell's conquest of Ireland, he is said to have "led a brigade against the rebels," and to have "come off with honor and victory."[3] "Drogheda is taken," he wrote from that place to the Speaker, "three thousand five hundred and fifty-two of the enemy slain, and sixty-four of ours; . . . . . Ashton, the Governor, killed, none spared. . . . . I come now from giving thanks in the great church." When the arms of the Commonwealth had completely triumphed, he withdrew from the military service; and he was one of the household chaplains who stood by the Protector's death-bed.[4]

He had not been a member of the court which condemned the King. What the public prosecutor undertook to prove against him was, "that he was a chief conspirator with Cromwell at several times and in several places, and that it [the King's death] was designed by them; . . . . . he was the principal person to procure the soldiery to cry out 'Justice! justice!' or assist or desire those for the taking away the life of the King; . . . . . he preached many sermons to the soldiery in direct terms for taking away the King, comparing the King to Barabbas; he was instrumental when the procla-

[1] Ibid., 155; comp. Vol. I. 582.

[2] See Peter, "A Word for the Armie and Two Words to the Kingdome," &c.

[3] Whitelocke, Memorials, 426.

[4] Peter was one of Cromwell's Triers (see above, p. 292). Roger Williams, when he visited Peter in London, was told by him that the room in which they were sitting had formerly belonged to "Canterbury" (Laud), and that Parliament had also given him the Archbishop's library. (Knowles, 262.)

mation for the High Court of Justice (as they called it) was proclaimed, directing where it should be proclaimed and in what place; when the King was brought upon the stage, that mock-work, he was the person that stirred up the soldiery below to cry for justice."[1]

His execution. Oct. 16.

The third day after their trial, Peter and the Solicitor, John Coke, who had been one of the prosecutors of the late King, were dragged on hurdles from Newgate gaol to the place of their execution, at Charing Cross. Their sentences were the same. Coke suffered first. He was hanged by the neck, and then cut down alive. His body, after other mutilation, was opened, and the bowels were taken out and burned. Then came the merciful blow which severed the head from the body; and lastly the body was cut into four parts for permanent exhibition in as many places. The executioner—his arms red to the shoulders with this slaughter—approached the other victim, and asked, "Mr. Peter, how like you the work?" "You have butchered one of the servants of God before my eyes," replied the sturdy man, "and have forced me to see it, in order to terrify and discourage me; but God has permitted it for my support and encouragement." Truly had Sir Ferdinando Gorges said of him thirty years before, that "his courage was not inferior to any." The head of Coke and that of General Harrison were set on poles at the northeast end of Westminster Hall, looking towards London; and the head of Mr. Peter on London Bridge.

The offences of Peter against royalty had been substantially the same as those of numbers who escaped unquestioned. As his death may be interpreted as a sacrifice on the tomb of Laud, so the doom of another eminent actor in New England affairs was a propitiatory offering to the manes of Strafford. The conviction of that nobleman had been brought about through a disclosure, by Sir Henry

[1] Trial of Twenty-nine Regicides, pp. 153, 154.

Vane, of matters which came to his knowledge from papers of his father. In respect to the death of King Charles, Vane was entirely blameless. He had taken no part in the transaction at any stage; he had protested against the project, from the moment of his first knowledge of it; and, when it had been carried into effect, he showed his displeasure by withdrawing for a time from Parliament and from participation in public affairs. Though he felt bound not to withhold his great abilities from the service of the country that rejected his counsel, he never lent himself to the personal elevation of Cromwell; and, during five years before the Protector's death, he had been part of the time self-banished from court, and part of the time in prison. Sir Henry Vane.

The hour had not yet arrived when a prosecution of Vane would have been prudent. Dreamy recluse as he was apt to become when emergency and opportunity did not summon into exercise the practical sagacity, promptness, vigor, and resource, in which no man, in that age of memorable men, surpassed him, it cannot be said that he was ever a general favorite. But his great qualities and services, his unimpeached disinterestedness, and his independence of spirit, made him the object of a veneration which, marked as he was for vengeance, was for the present his safeguard. When, after two years, Lord Clarendon's skilful politics, and an extravagant reaction of the public mind, had made the mitre and the crown seem to their wearers omnipotent, the time was ripe for reckoning with Henry Vane. Denied the aid of counsel, he conducted his own defence in a manner worthy of his character for ability, and greatly adding to his reputation for courage. His unanswerable reasoning, to the effect that the indictment charged him with no acts but such as, according to the strictest tenor of the law of England, were consistent with the duty of a good citizen during a suspension of the established government, made 1662. June 6.

no impression upon judges who had predetermined his fate. He was convicted, and sentenced to die as a traitor. The King, who had induced the Convention House of Commons to except him from the Act of Indemnity, by a promise, conveyed through Lord Clarendon, that, if convicted, he should receive a pardon, now wrote to that minister, "He is too dangerous a man to let live, if we can honestly put him out of the way." Some of the horrible accompaniments of the penalty of treason were remitted. He was beheaded on Tower Hill. He was magnanimous and intrepid to the end. "Father, glorify thy servant in the sight of man," were his last words, "that he may glorify thee in the discharge of his duty to thee and to his country."[1]

June 14.

Of the executions of actors in the late troubles, Vane's was the last. Lambert, excepted with him in the Act of general amnesty, had now ceased to be cared about. He was sentenced to die, but the punishment was commuted for perpetual imprisonment. He lived twenty-three years in gaol on the island of Guernsey and at Plymouth, and then died in the communion of the Church of Rome.

Three other persons owed their fate to the newly awakened loyalty of a New-England man, — a man eminent among the most able and the most unworthy that the venerable University of Massachusetts has reared. Emanuel Downing, of the Inner Temple, who had married a sister of Governor Winthrop, followed him to New England after a few years, bringing with the rest of his family his son George, who became a member of the class first graduated at the American Cambridge.[2]

1638. October.

[1] "The courage of Sir H. Vane at his death is talked on everywhere as a miracle." (Pepys, Memoirs, 277; comp. 275, 276.) Pepys saw the execution.

Vane's impracticable republicanism was very offensive to Richard Baxter. (See Reliq. Baxterian., I. 74 – 76; comp. "A Vindication of that Prudent and Honorable Knight, Sir Henry Vane, from the Lies and Calumnies of Mr. Richard Baxter," &c. 1659.)

[2] His name stands second on the list of the seven thousand *alumni;* that of Benjamin Woodbridge, who also went

Three years after the completion of his studies there, he was one of "three honest young men [as they were considered], good scholars and very hopeful," who "went in a ship to the West Indies, to instruct the seamen." In three of the islands, Downing "gave such content, as he had large offers made to stay with them. But he continued in the ship to England, and, being a very able scholar, and of a ready wit and fluent utterance, he was soon taken notice of, and called to be a preacher in Sir Thomas Fairfax his army to Colonel Okey his regiment."[1] He was at the battle of Worcester, of which he wrote an account to Parliament; and, in the following year, was Scout-Master-General to the army in Scotland. The Protector employed him in negotiation with the Duke of Savoy; and he sat in Cromwell's last Parliament, and was sent by him as Ambassador to the Low Countries. In this position the Restoration found him. He had foreseen the event, and taken his course betimes; and, the week before Charles the Second sailed for England, he received the order of knighthood from that prince. Lord Clarendon continued him at his post, where he naturally desired to signalize himself by zeal and activity. Accordingly when three of the regicides, Corbet, Barkestead, and Okey (his old commander), fled

Sir George Downing.

1645.

1652.

1653.

1657–1660.

to England, and was employed there, being the first. — In 1654, George Downing married the Lady Frances Howard, sister of the first Earl of Carlisle. Their oldest son, George, married a daughter of James, Earl of Salisbury. And the oldest son of this marriage, dying in 1747, endowed the College at Cambridge which bears the family name.

For more than a hundred years, the first George Downing's name barbed a proverb of reproach in America. "If we may believe history," says the upright and straightforward John Adams, "he was a scoundrel." (Works, X. 329; comp. Hutch. Hist., I. 107.) Pepys, who was a clerk in his office, judged him no more favorably. (Memoirs, I. 112, 252, 254; comp. Ludlow, Memoirs, 382.) Mr. Adams understood, as others have done, that the Parliamentary Navigation Act (see above, p. 282) originated with Downing, who had at that time a particular grudge against the Dutch.

[1] Winthrop, II. 243.

to Holland, he had them arrested at Delft, and hurried them off to England, where all three were convicted and executed.[1]

1662. April 19.

Ecclesiastical affairs in England.

The restoration of the throne found ecclesiastical affairs in a condition altogether anomalous. Episcopacy and the liturgical service had never been abrogated by a joint act of King, Lords, and Commons. Presbytery, though established by Ordinances of Parliament, had not taken root in the kingdom, and at this time existed in no strength except in and about the City, and in Lancashire. Independent ministers occupied most of the Church livings. Nine ejected Bishops, who still survived, were now authorized to resume their sacred functions; and all ejected clergymen, to reclaim the places from which they had been removed. But the Presbyterian party had rendered such services in reinstating the royal authority, and still possessed such influence in the kingdom, that it was impossible as yet to treat them with outrage, or even to proceed without their active co-operation.[2] Not only were Presbyterians, as Manchester, Hollis, Annesley (raised to the peerage as Lord Anglesea), and Sir Ashley Cooper (created Lord Shaftesbury), sworn into the Privy Council, but eminent Presbyterian ministers — Calamy, Reynolds, Baxter, and several others — were made royal chaplains.[3] In a conference to which the dissenting clergymen were admit-

[1] Pepys saw them "drawn towards the gallows at Tyburn; and there they were hanged and quartered." He says: "They all looked very cheerful; but I hear they all die defending what they did to the King to be just." (Memoirs, &c., I. 258.)

[2] Hooker and Cotton, of New England, had been still recognized as the leading champions of Independency, in the books on Presbytery which continued to be written in the time of the Commonwealth; for instance, in Daniel Cawdrey's elaborate treatise, "The Inconsistency of the Independent Way," &c., published in 1651, and in "Jus Divinum Regiminis Ecclesiastici," and "Jus Divinum Ministerii Evangelici," issued by the Presbyterian ministers of London in 1654.

[3] According to Oldmixon (British Empire in America, I. 85), Benjamin Woodbridge, the first graduate of Harvard College, was one of these chaplains. But I do not remember any early authority for the statement.

ted by the King, he assured them of his desire to effect by mutual concessions a composition between their communion and the prelatists, and added the gratifying words, "If this is not accomplished, the fault shall be on your part, and not on mine."

He considered himself to have fulfilled his engagement when he appointed twelve Presbyterian ministers, and as many bishops, to confer together respecting the terms of an agreement. The conference (called the *Savoy* Conference, from the place of its meeting, which was a house of the Bishop of London) was conducted with no spirit, and from its beginning promised no useful result. Several of the Episcopal commissioners never took their seats. The demands on their side were of a tenor to exclude the idea of any compromise. The Presbyterians argued their cause faintly, for already they saw around them only cause for discouragement and alarm. The Convention Parliament was dissolved at the end of a second session, devoted mostly to the transaction of ordinary business; and a portentous change had begun to reveal itself immediately afterwards. That Parliament had been chosen while Presbyterians and Independents were still in force, and no scheme for the restoration of royalty had taken form; a fact which sufficiently explains the moderation of its measures. Far different were the composition and the temper of its successor. Immediately upon the restoration of the King, a loyal madness possessed almost all classes of the people. The abuses, which, twenty years before, had roused the spirit of their fathers, were well-nigh forgotten. Their perturbed memory dwelt on the more recent grievances of frequent changes in government, military coercion, heavy exactions, and ascetic manners. With affectionate credulity they assumed that their young monarch was a person capable of being made sober by adversity, and of feeling a generous gratitude

1661. March 25.

1660. Nov. 6–Dec. 29.

for the generous devotion of his subjects. They crowded to the polls, impatient to prove their indignation against whoever desired to hinder or annoy him, and exulted in throwing the power of the Commons into the hands of men who proclaimed the loudest their reverence for the altar and the throne. At the meeting of Parliament, it appeared that only fifty-six Presbyterians had been returned to that House. Lord Clarendon was now omnipotent. And, even had his temper resembled less than it did the temper of Laud, he might scarcely have been able to resist the angry cavaliers and churchmen who held the powers of the three estates of the realm.

A new Parliament, devoted to the King.

1661. May 8.

When strong passions and a clear purpose meet, some pretence will never be wanting. There was a club of *Fifth-Monarchy Men*, which held meetings at a house in Coleman Street, in the City. Its principal member was Venner, the cooper from Salem in Massachusetts, who had been troublesome in the Protector's time.[1] One Sunday, when the King was at Portsmouth, Venner exhorted his hearers, about sixty in number, to take arms for setting up their own sovereign, King Jesus, and not lay them down till Babylon, the bloody city, should be made "a hissing and a curse." Assured by his promise that "one should chase a thousand, and two should put ten thousand to flight," they rushed into the street and made a riot, for which, the next day, about half of them were apprehended, and put in the guard-houses. The remnant were, however, joined by some other disorderly persons. The train-bands fired upon this mob, killed twenty-two, and took prisoners twenty others, ten of whom, including the leader, were convicted and hanged; and the Fifth Monarchy was heard of no more.[2]

Fifth-Monarchy Men.

Jan. 6.

Jan. 9.

Jan. 21.

[1] See above, p. 300, note.

[2] But Pepys was told they were "not in all above thirty-one." (Memoirs, I. 169; comp. 167.) He says,

Nothing could be more insignificant, in the way of danger to the administration, than this folly of a few frantic vagabonds; and nothing was more notorious than that *Fifth-Monarchy Men* had as little connection, and as little favor, with Presbyterians as with Prelatists. It is hard to imagine that the pretext was expected to impose upon any one. But it was convenient to have something to which to impute the breach of the royal word. The ultra-royalists professed to be in a fever of alarm. Reports were spread of a plot against the government, and against the person of the King; that the Presbyterians were engaged in it, and that Baxter was a leader.

The material fact is, that the Church-and-King party was now as powerful and confident as it was wrathful. Lord Clarendon was not impelled by the furious passions that possessed many of his followers; but none of them resented more implacably the popular triumphs of the past years, and none was more blindly bigoted to the hierarchical administration of the Church. Under such auspices the new Parliament opened its first session by excluding every member elect who should not receive the sacrament according to the liturgical form, and ordering the burning of the League and Covenant in Westminster Hall by the common hangman.[1] The strength of the dominant party was now made manifest to itself; and at the next session it proceeded to carry out its policy with arrogant determination. By the Corporation Act, all officers of corporations, including magistrates of cities and boroughs, were required to assert, under oath, the nullity of the Covenant, and the unlawfulness of offering resistance to the King under any circumstances whatso-

Proceedings against Dissenters from Episcopacy. May 17.

Corporation Act.

Venner "was much wounded before he could be taken" (Ibid., 172.), "and fought with courage amounting to desperation." Comp. Burnet, 160, 161.

[1] The coronation had taken place on the 23d of April preceding. Pepys (Memoirs, I. 190–197) has a very entertaining account of it.

ever; and all persons were pronounced ineligible, for the future, to offices in corporations, who should not, within a year, have received the sacrament from the hands of a priest of the national Church.[1]

Act of Uniformity. 1662. May 18.

The still more monstrous Act of Uniformity was passed after some opposition, chiefly made in the House of Lords, which House appears to have been most sensible to the shame of the King's perfidy. The Act provided that all clergymen should not only conduct worship according to the Book of Common Prayer, but should expressly declare and subscribe their unfeigned assent and consent to everything therein contained; that no person should hold Church preferment, or administer the ordinances, unless he had been ordained by a bishop; and that all clergymen, officials of the Universities, and even private tutors, should sign a renunciation of the Covenant, and of the lawfulness of resisting the sovereign for any cause. The Act was to take effect in three months, on the next St. Bartholomew's day, a few weeks before the annual revenues from the livings became due.[2] When the roistering readers of the Liturgy and the Homilies had been displaced by the stern sobriety of the Commonwealth, one fifth of the value of the livings had been set apart for their support; now no provision whatever was allowed to the learned and laborious pastors who were expelled. Rather than make the sacrifice required, some ministers chose to carry over to the Church, which was thus vindicating its purity, just so many unconscientious members. A mitre had been accepted by Dr. Reynolds. Bishoprics and deaneries had been offered to other Presbyterians in vain. On one and the same day England saw the becoming spectacle of two thousand ministers of Jesus Christ embracing penury rather than stoop to dishonest compliance. From College halls and Cathedral closes, from stately and from

[1] Statutes at Large, II. 685. [2] Ibid., 696.

humble parsonages, endeared by the familiarity of happy and useful years, holy men led out their delicately nurtured families, not knowing whither they should go.

They were not sufficiently punished yet. Some measures which followed may be mentioned here, though three years passed before the series was completed. The ejected ministers found friends, who desired to be their hearers, though it should be obscurely, and in private houses. To meet this state of things, which revealed itself in a few months, the Conventicle Act was passed. It forbade the meeting, in any house, of more than five persons besides the family there resident, "for any exercises of religion in any other manner than is the practice of the Church of England." The penalty for violating the statute — a fine of five pounds and imprisonment for three months — was doubled for a second transgression; for a third, the convict was to be banished for life to some American colony, — not, however, to New England, because there he would find sympathy and help.[1] Finally, the Five-Mile Act tried what law could do to deprive Non-conformist ministers of the power of earning a living, or of receiving it from the affection of old friends, or from the charity of pitying strangers possessing means for beneficence. It forbade them to come at any time within five miles of any parish which they had served, or of any corporate town whatever. The penalty was a fine of fifty pounds, and imprisonment for six months.[2]

Conventicle Act. 1663. June.

Five Mile Act. 1665.

The loss to England of so large a number of her working clergy, while it could at no time have been other than disastrous, could never have been more unseasonable than now. With the restoration of the royal house, immorality had come in upon England like a flood. The hatred of Puritanism extended itself to the venerable things that Puritans revered,

Decline of morals.

[1] Statutes at Large, II. 758.

[2] Ibid., 763.

and to those habits of blameless living that Puritans had attempted (not always wisely) to enforce. The King's example of ostentatious vice was attractive to loyal minds. The Court, with which the Church was enthusiastically allied, was flagitiously and impudently profligate. The fine gentleman scarcely maintained his character, unless, besides being a libertine and a scoffer, he was a pensioner and a pimp. The King's bishops had to keep on civil terms with the King's harlots. The latest historian is fain to record, as "an unquestionable and a most instructive fact, that the years during which the political power of the Anglican hierarchy was in the zenith, were precisely the years during which national virtue was at the lowest point."[1]

To the Presbyterians of his Northern kingdom Charles the Second had no recent promises to break, for he had made none. The penance which, while formerly in their hands, he had had to bear in listening to their lessons, and pretending to conform to them, had occasioned him inexpressible disgust at the time. But his nature was not vindictive, and his sufferings from long prayers and exhortations to lead a decent life were now recalled by him mainly as subjects of merriment. The simple usages of Presbytery were not to his taste; but they no longer obtruded themselves upon his notice, and, as questions merely of religion and conscience, all questions between different denominations of Protestants were regarded by him with utter unconcern. In one aspect, however, they did seem to him well worth attention. Episcopacy had been the steadfast friend of the throne. The Presbyterians had overturned the throne; and fidelity to that claim for civil and religious freedom, which was involved alike in the spirit of their faith and in the necessity of their position, would impel them to be restless again as soon as opportunity for resistance

[1] Macaulay, History, &c., I. 181.

should recur. This jealousy on the King's part, added to that unmanly hatred of thought and of business which made him the tool of whoever would in earnest undertake to use him, was all that was needed to accomplish the purpose of the Chancellor. The entreaties of the ancestral subjects of the Stuarts were derided; the costly struggles of Dunbar and Preston and Worcester were forgotten. Prelacy was restored in Scotland. A royal proclamation forbade all meetings of synods and presbyteries. Ministers, established in their cures since the death of the late King, were deprived of their livings unless instituted anew by the prelates. The management of the affairs of the Church was committed to James Sharpe, rewarded for his apostasy from the Kirk by being made Archbishop of St. Andrews, and primate. Again the wind was sown which was again to be reaped a whirlwind.

Prelacy reinstated in Scotland. 1661. September.

The memory of the Marquis of Montrose called for blood, like the shades of Laud and Strafford. The marvellous exploits of that daring soldier had more than once promised to restore the royal cause in the darkest crises of its decline.[1] Defeated at last, and taken prisoner, he had been brought to Edinburgh, and there executed, after many indignities. The severity of his treatment was imputed to the Marquis of Argyll, chief of the great house of Campbell, who was then the leader of the Covenanters and the foremost among Scottish statesmen. Charles the Second, immediately after the death of Montrose, had made an accommodation, and professed himself a Presbyterian; and, at his coronation at Scone, Argyll placed the crown upon his head. When Cromwell overran Scotland after his victory at Dunbar, that

Marquis of Montrose. 1650. May 21

Marquis of Argyll. 1651. Jan. 1.

[1] In his professions to the Marquis of Argyll, and to the Scottish Parliament, respecting his relations to Montrose, Charles the Second emulated the unsurpassable dishonesty of his father. (See Lingard, VII. 26.)

nobleman had been obliged to yield to the necessity of the times. He had held high employments under the great Protector, and had sat as a commoner in the Parliament called by Richard. At the Restoration he came to London, to pay his duty to the sovereign, but was committed to the Tower, whence he was presently sent back to Edinburgh. When it was made clear that no misdemeanors yet alleged were sufficient for his conviction as a traitor, some letters were produced, said to have been formerly written by him to Monk, and containing expressions of hostility to the King. On this evidence he was condemned; and, lest the royal clemency should be extended to him, he was allowed only forty-eight hours to make his preparation. He suffered with intrepid serenity, expressing in his last words his devotion to the Covenant; and his head was fixed upon the spike which, just eleven years before, had borne the head of James Graham of Montrose.

1661. May 27.

So far all things had gone on prosperously for the Court. The quiet aspect of affairs at home allowed its attention to be turned abroad. The English merchants were impatient of the commercial rivalry of the Hollanders. Parliament was irritated by a charge of some depredations committed by Dutch officers, for which, however, reasonable satisfaction had been offered. Downing, the English Minister at the Hague, was quarrelsome and overbearing. The King, as far as he paid attention to the business, was influenced by the hope of securing for his own use some of the grants for the public service which foreign hostilities would induce, and by partiality for his young nephew, the Prince of Orange, whose hereditary consequence was now overborne by the popular party. The Duke of York, the King's brother, hated the Hollanders for their Protestantism, and was ambitious of renown as a naval commander.

A squadron was sent to seize some Dutch settlements in Africa. The Dutch complained, and, when their complaints were neglected, reluctantly began to arm. Their Admiral, De Ruyter, recovered the African factories.[1] The English made reprisals on Dutch ships. Attempts, diligently made by the Dutch to heal the quarrel, failed, and war was formally declared by the King of England. France and Denmark took part with his enemy.

War with Holland. 1665. Feb. 22.

The vicissitudes of the sharp conflict of the next two years and a half need not be here described. A succession of alternate successes of the great naval powers terminated in an adventure deeply mortifying to English pride. The Dutch Admiral, De Ruyter, sailed up the Thames, took Sheerness, and burned six ships of war at their anchors. Repeating the insult, he came up as far as Tilbury fort. His guns were heard on the Royal Exchange; and a question of evacuating the Tower of London was seriously entertained in the Privy Council. In these humiliating circumstances, England concluded a treaty of peace, on favorable terms, due to the prowess of her fleets in the early part of the war, and to a sense of the greatness of her spirit and resources, as well as to jealousy entertained by the Dutch of some equivocal movements on the part of their French allies. The original grounds of the dispute were passed over in silence. Acadie, in America, was surrendered to the King of France; but New Netherland, which had been taken by the English, as will hereafter be related, remained in their hands.

Peace of Breda. 1667. July 10.

The people of England chafed against that official mis-

[1] The "Discourse written by Sir George Downing" at this time, ("given at the Hague, this 16th of December, 1664,") is a specimen of diplomatic insolence perhaps unequalled since the times of Roman brutality. The tricky envoy half pretends to call in question the authenticity of the argument of the "Estates General of the United Provinces," which he undertakes to answer.

management to which they imputed the defeat of their expectations from this war. And their ill-humor was increased by the occurrence of two great calamities, under which they could not even have the relief of complaining of their rulers. In the first year of the war, a pestilence had broken out in London, which in six months destroyed a hundred thousand lives. A year afterwards, a fire devastated the city for six days and nights. Beginning near London Bridge, it spread in one direction to the Tower, and in the other nearly to Temple Bar, consuming thirteen thousand houses, and laying waste four hundred streets, and four hundred and thirty-six acres of land.

Plague in London. 1665.

Fire of London. 1666. Sept. 2–7.

The vague but violent discontent which prevailed vented itself in an outcry against Lord Clarendon. From the time of his accession to the management of affairs, he had made enemies in all quarters except among the clergymen, and not a few of the clergy he had offended by his abstinence from jobs in the distribution of patronage. The Catholics hated him for his vigilant and uncompromising Protestantism. The Protestant dissenters bore him no good-will for shutting up their places of worship, and turning their ministers out of their homes to beggary. Covenanting Scotland owed him a terrible reckoning. The resentment of disappointed suitors among the royalists accumulated a strong interest against him; for, where there were so many to be gratified, and they so craving, it was impossible for him to satisfy all; and, though he was charged with being covetous, it was not believed to be serviceable, or even to be safe, to approach him with a bribe.[1] The mob of courtiers hated him, because of his blameless private life, and of that

Lord Clarendon's fall from power.

[1] I am not ignorant that a different opinion has been maintained in respect to Lord Clarendon's reputation among his contemporaries, in this particular; and I have carefully read the "Historical Inquiries" of the late Lord Dover upon the point; but without being satisfied of the correctness of the judgment there expressed.

loathing for their practices which he took little pains to conceal. The seraglio hated him, because he paid it no respect, and because all his influence over the royal mind was sure to be adverse to its sway. The King was turned against him by the disgust and the scoffs of his mistresses, and because the cautions of the grave minister were distasteful and wearisome to the royal ear. By his own son-in-law — the Duke of York had seduced, and then married, Clarendon's daughter — he came to be scarcely tolerated, because the one was a Romish, the other an Anglican devotee. His stern temper, as it was manifested in measures of authority, or in private intercourse, provoked hostility; and his proud unconcern about recommending himself by a gracious deportment had its powerful effect to his disadvantage; for, among the qualifications for public service, no small account is apt to be made of a readiness to promise, to compliment, and to smile.

The fall of a minister cannot be long delayed, when the sovereign, the courtiers, and the people have ceased to love him. Peace was scarcely made before a universal clamor arose against the man to whom were imputed the disgraces and the unprofitable issue of the war. Dunkirk, in the Low Countries, had been taken by Cromwell from the Spanish. To supply his needs or his pleasures, Charles, in the second year after his restoration, had sold it to the King of France. The dishonor of this transaction was now charged upon Clarendon. He had built a costly mansion near St. James's Palace; it was called in derision *Dunkirk House*, and he was accused of having paid for it by official peculation. The King took from him the great seal; Parliament, coming together soon after, thanked the King for so doing, and was answered by an assurance that Clarendon should never again be employed. This was not enough. The House

1658.

1662.

1667. Aug. 30.

Oct. 15.

of Commons voted to impeach him, and sent up its
Nov. 12. articles. The Lords found them vague and informal, and declined to proceed. The Commons demanded a conference. It was uncertain what the issue would be, but the excitement and the danger were great. While the dispute was pending, Clarendon thought it prudent to withdraw to the Continent. From Calais he addressed to the Lords a vindication, which, by a joint order of the Houses, was pro-
Nov. 29. nounced a scandalous and seditious libel, and
Dec. 9. condemned to be burnt by the hangman. An-
Dec. 19. other vote sentenced him to banishment for
1673. life. At the end of six years, passed in privacy,
Dec. 9. he died at Rouen, in France.

Some measures of Lord Clarendon's administration concerned the Colonies of New England. The reader remembers that, at an early period of the Civil War, a Parliamentary Commission had been intrusted with the
Council of Foreign Plantations. superintendence of colonial affairs.[1] In the first
1660. year of the restored monarchy, this commission
Dec. 1. was succeeded by a Council of Foreign Plantations, which was invested with similar powers.[2]
1661. A few months later, twelve Privy Counsellors
May 17. were appointed to be a "Committee touching the settlement of the government of New England."[3] But for the present this movement was fruitless.

The Navigation Act of the Commonwealth was made
1660. the basis of further and stricter legislation. A law of the Convention Parliament forbade the importation of merchandise into any English Colony, except in English vessels, with English crews; and, specifying various colonial staples, it prohibited their exportation from the place of production to any other

[1] See Vol. I. 633, 634.

[2] In the preceding month (November 7) a Council of Trade had been established. (Journal of the Privy Council.)

[3] Ibid.

ports than such as belonged to England.[1] The penalty in both cases was forfeiture of vessel and cargo. The oppressive system was further extended by an Act, which confined the import trade of the colonists to a direct commerce with England, forbidding them to bring from any other country, or in any but English ships, the products, not only of England, but of any European soil.[2] Navigation Act. 1663.

The Society for the Propagation of the Gospel among the Indians had been composed of Presbyterians and Independents. After the Restoration, its friends, alarmed not only for the safety of its property, some of which was now reclaimed by the former owners, but even for the prospect of any further prosecution of their benevolent undertaking, lost no time in approaching the throne in its behalf.[3] Men sympathizing with them, and still of influence about the King, promoted their suit. The arrival of copies of John Eliot's Translation of the New Testament into the native language, with a dedication to the King, was opportune.[4] The Chan-

[1] Statutes at Large, II. 658 – 661. — There were articles of New-England production which the demand in England, whether for consumption or for commerce, could not exhaust; while it concerned the English merchants, that the colonists should somehow get money to pay for English manufactures. Accordingly, by an Order in Council (February 13, 1661), New-England vessels were permitted to carry their freights (lumber, fish, &c.) to "Spain and other parts," and to bring to England only the proceeds of the sales.

[2] Ibid., 738. Salt for the New-England fishermen, wines from Madeira and the Azores, and provisions from Scotland and Ireland, were however excepted.

[3] 1660, November 14. On petition of "divers of his Majesty's subjects, ministers and others," for a continuance of the charter mentioned in their petition, and for securing "the lands set for maintenance, the Attorney-General was directed to report to the Privy Council a draught for a renewal of the charter. — 1661, April 10, his draught was approved. — May 17, he received a list of names of the first associates to be inserted in the charter. — 1662, July 2, "A brief" was ordered for "a general collection to be made throughout England and Wales" in aid of the Corporation. (Journal of the Council.)

[4] This great work, printed at Cambridge by Samuel Green and Marmaduke Johnson, was published in Boston in September, 1661. The Federal Commissioners sent twenty copies to Richard Hutchinson and William Ash-

cellor saw no harm in the project; and the royal assent was easily obtained. The re-established Society derived respect from the high rank of many of its members. The associates first named in the charter were the Earl of Clarendon, the Earl of Southampton, Lord Roberts, the Duke of Ormond, and the Duke of Albemarle.[1] Nine members of the old Society were renominated. Henry Ashurst was continued as Treasurer. In general personal estimation, as well as in eminence among the philosophers of Europe, no man in England stood higher than the Society's new President, Robert Boyle. The place, he says, was given to him "without his seeking, or so much as knowledge."[2] He immediately wrote to the Commissioners of the United Colonies, acquainting them with the steps which had been taken, and with the desire of the new corporation to avail itself of their continued agency.[3] The business of converting the Indians of New England continued in the same hands; and, with little or no interruption from the transfer of the governing power abroad, the missions were prosecuted on the same principles as before.

Charter of the Society for Propagating the Gospel.

1662. May 15.

There were other proceedings of the restored King's first ministry more materially affecting the New-England Colonies. But they must be reserved for a later stage of this narrative.

urst, with a request that "two of the special, being very well bound up," might be presented to the King and the Chancellor, and one each "to Dr. Reynolds, Mr. Carrill, Mr. Baxter, and the Vice-Chancellors of the two Universities." (Records, &c. in Hazard, II. 441; comp. 438.)

[1] Oldmixon (I. 100) gives a list of the original members of the Corporation, forty-two in number. See, also, Mass. Hist. Coll., XXXII. 281.

[2] Boyle, Works, I. 41, 42. For the charter of the Corporation, see the same, 95.

[3] The letter is in Hutchinson's Collections, p. 374, and in Records, &c., in Hazard, II. 453.

CHAPTER XII.

No one of the confederate Colonies of New England proclaimed either of the Protectors. They recognized the sovereignty of Oliver as a fact, and had some communications with him, especially in relation to his expedition for the conquest of New Netherland.[1] At his death, the Council of State sent an order to Massachusetts to proclaim his son;[2] but it received no attention, even so far as to be mentioned in the public records. A letter from Richard, recommending to the favor of the General Court a friend of his who had an estate to administer upon within their jurisdiction, is the only memorial of him that appears in their archives. He subscribed the letter as their "very loving friend," and assured them that their compliance with his request he should "esteem as a particular respect done to him, and should be ready to acknowledge and return the same upon any occasion wherein he might procure or further their good and welfare."[3]

1659. March 23.

Intelligence of the accession of Charles the Second to the throne of his ancestors was not long in reaching Boston. The Journal of the General Court which sat three months later contains no

1660. July 27. October.

[1] Sedgwick and Leverett wrote to the Protector from Boston, July 1, 1654, giving a full and laudatory account of their interview with the messengers from Connecticut and New Haven. The papers are in Thurloe, Collection of State Papers, II. 418–420.

[2] Hutch. Hist., I. 193, note

[3] Ibid., 455. — Leverett wrote, on the 25th of the preceding December, that he had waited on the young Protector, a fortnight after his accession, with an "application on the behalf of the country," and had been favorably received. (Hutch. Coll., 317.)

reference to the new state of things.[1] The Court had not been long adjourned, when information arrived from Leverett, its agent, that the affairs of New England had already been brought to the King's notice. Complaining that he was without instructions how to act in the embarrassing circumstances which had occurred, he informed them that the Quakers and some of the Eastern people had been making known their grievances; that a petition had been presented for the subjection of New England to a General Governor; and that, while awaiting express directions, he had engaged the good offices of Lord Say and Sele, and Lord Manchester, to endeavor to ward off that calamity. He added: "Episcopacy, common prayer, bowing at the name of Jesus, sign of the cross in baptism, the altar, and organs are in use, and like to be more. The Lord keep and preserve his churches, that there may not be fainting in the day of trial!"[2]

Nov. 30.

The Magistrates immediately convoked an extraordinary General Court, and, in anticipation of its meeting, addressed letters to Lord Manchester, and to Lord Say and Sele, to fortify their agent's application for the interest of those noblemen.[3] The Court, having read Leverett's letter, at once "ordered, that Addresses be made to the King's most excellent Majesty, as also to the High Court of Parliament." The

Address of Massachusetts to the King.

Dec. 19.

[1] Hutchinson says (Hist., I. 194) that, at this session, "a motion was made for an address to the King, but it did not succeed; Mr. Norton, one of the ministers of Boston, was very earnest for it," &c. Hutchinson's statement is circumstantial, and I presume it to be correct; but I know not his authority for it.

[2] Hutch. Coll., 322–324. — Still another party, mentioned by Leverett, of "complainants to the King's Majesty" consisted of "Mr Reckes [Becks] and Sefford [Gifford], and company of iron-works." Their complaint related to a long litigation, in which certain parties in England considered themselves to have been wronged by the government of Massachusetts. The curious reader may trace the progress of it in Mass. Rec., IV. (i.) 155, 188, 194, 195, 217–220, 228, 237, 241–244, 251, 252, 311. Hutchinson's copyist misread the names.

[3] Hutch. Coll., 324; comp. Mass. Rec., IV. (i.) 449.

Address sent accordingly to the King was profuse in compliments, conveyed mostly in Scriptural phraseology. The Court prayed for his "gracious protection of them in the continuance both of their civil privileges and of their religion and liberties, according to the grantees' known end of suing for the patent conferred upon the plantation by his royal father." They declared that their "liberty to walk in the faith of the Gospel with all good conscience . . . . . was the cause of their transporting themselves, with their wives, little ones, and their substance, from that pleasant land over the ocean into the vast and waste wilderness." In reply to the complaint of their proceedings against the Quakers, they said: "Had they not been restrained, so far as appeared, there was too much cause to fear that we ourselves must quickly have died, or worse, and such was their insolency that they would not be restrained, but by death; nay, had they at last but promised to depart the jurisdiction, and not to return without leave from authority, we should have been glad of such an opportunity to have said they should not die." And they expressed their conviction, that, if their petition should prevail, "the blessing of the poor, afflicted, and yet, they hoped, a people trusting in God, would come upon the head and heart of that great King, who was sometimes an exile as they were."[1]

Address to the Parliament.

In the more brief Address to Parliament, the memorialists represented that, "under the security of his late Majesty's letters patent," the people of Massachusetts had, at their own charge, transplanted themselves, and for thirty years had continued undisturbed, and enjoyed the rights and privileges granted by patent." "We are not unwilling," they said, "and hope we need not be ashamed, to give an account with what integrity and simplicity of heart we have managed the trust committed to us, or exercised any power, though

[1] Hutch. Coll., 325 – 329; comp. Mass. Rec., IV. (i.) 449 – 453.

perhaps to the dissatisfaction of some nocent." For a vindication of their treatment of the Quakers, they referred to their Address to the King. Their "late claiming and exercising jurisdiction over some plantations to the eastward of them, supposed to be without the limits of their patent," they affirmed, "was upon the petition of sundry the inhabitants there, and after an exact survey of the bounds granted them, not out of desire to extend a dominion, much less to prejudice any man's right." And they concluded by "promising themselves, and humbly begging, the Parliament's favor and encouragement in the premises."[1]

Instructions to the agents in England.

These Addresses, transmitted to Leverett, "or, in his absence, Richard Saltonstall and Henry Ashurst, Esqs.," were accompanied by instructions relating to their presentation and to further proceedings. The agents were directed, — 1. to deliver the Addresses without delay, and in "the best and most acceptable manner;" 2. to engage the favor and good opinion of "gentlemen of worth in Parliament, or that were near unto his Majesty;" 3. to obtain "speedy and true information" of the way in which King and Parliament stood affected to the memorialists; 4. to explain that what they desired was a continuance of the privileges which they had received by their patent, and had hitherto enjoyed, including freedom from appeals to England "in any case, civil or criminal," — to which benefits, if the agents should find "the King and Parliament propitious," it was desirable to have added "the renewing the Act that freed from customs." Any measures tending to the immunity of Quakers on Massachusetts soil were to be strenuously opposed, "as no less oppression of us," wrote

[1] Mass. Rec., IV. (i.) 453, 454. — The elders were consulted about these Addresses, and gave their formal advice, for which see Hutch. Coll. 331, 332. Its main drift was to recommend caution in respect to pledges and compliances.

the Court, "than the destroying of us and ours by the sword." In respect to these and some other matters specified, the agents were told: "These are only private intimations to yourselves, which we desire you to make use of for our indemnity, as you best may, in a more private way and personal capacity." If called upon to make any public answer, they were to reply that they had not received authority to do so, the Court not being able to "foresee the particulars wherewith they should be charged."[1]

There was much occasion for anxiety, and great need of circumspection. For thirty years — from the beginning of their settlement — the freemen of Massachusetts had managed their own affairs. For twenty years they had pursued their plans with little apprehension of disturbance. The restoration of the royal authority revived painful remembrances, and gave birth to a new uneasiness. Of the personal character of the King they indeed could have known little. He had been lost sight of, since the time when he was a hypocritical youth in Scotland. But they might naturally hope that years and afflictions had done him good, and that a wholesome fear of Puritanism would make him a better ruler than his father or his grandfather had been. Of Lord Clarendon it may be supposed that they had learned still less; for, important as was the part that he had been acting, it was not acted in the view of Englishmen on either side of the water. The promises in the Declaration which the King had sent from Breda, interpreted by their hopes and by their own honesty, were suitable to dispel alarm. Their charter, as long as it should stand good in English law, they reckoned to be

[1] Mass. Rec., IV. (i.) 455, 456. — In the State Paper Office is a transcript of this paper, with the following memorandum: "This is a true copy of what was said to be the original." Perhaps it had been surreptitiously obtained by the government.

their sufficient shield. They had some tried friends at court. The Parliament which was in session contained a strong force of men who would not willingly see them wronged. And, in the last resort, the constancy and conduct which, when their numbers were smaller, had stood them in good stead, were now a not less secure dependence. But, on the other hand, the enthusiasm which had brought back the King had invested him with much power for mischief; and that Puritan organization in England, to which in former dangers they had looked for efficient sympathy, was disabled. The most compact and solid array of Puritanism now in existence was in New England itself. In these circumstances a gloomy uncertainty rested over the future; and a sense of responsibility, somewhat new after the comparative calm of a score of years, nerved the minds of the pilots of the state.

The reader understands the grounds of that complaint from the Eastern settlements, which had been carried by "Mr. Godfrey and that company" to the foot of the re-established throne.[1] The application of the Quakers related to a series of transactions now to be narrated.

The sect of Friends.

The people known among themselves by the name of *Friends*, but commonly called *Quakers*, possess at present, in a high degree, the respect of mankind. In consideration of qualities of the most praiseworthy character, the world easily overlooks little peculiarities of theirs which are liable to some objection. They avoid the utterance of certain conventional expressions of courtesy. They wear a uniform almost as demonstrative as that of the military profession, and recommended as little by considerations of convenience as by considerations of taste. They are scrupulous to cover the head at times when others leave it bare. They adhere to an ostentatious use of an obsolete style of speech,

[1] See above, pp. 383 – 388.

and employ it without regard to the settled rules of grammar. But they are generally examples of thrift, of practical judgment, and of the high moral qualities of self-possession, sobriety, steadfastness, and benevolence. They have introduced very valuable improvements into the discipline of prisons, the treatment of the insane, and various administrations of public charity, and they have done much to rectify the sentiment of mankind in respect to the character of war. The names of Clarkson, of Fry, of Benezet, of Hopper, and of numerous others worthy to be remembered with them, occur to the mind, whenever the heroism of philanthropic enterprise is the theme. In America and in England, the nefarious system of African slavery has found no more generous or resolute foes than in this sect. In the same countries, in this age, Quaker names stand high on the roll of men and women of genius and accomplishment in letters. The founders of the sect were men of different metal. In the second period of its history, when the formative spasm was over, and the gentle spirit of Penn and Barclay was infusing itself into the society, it began to wear a less unamiable character. But seldom have enthusiasts been more coarse, more unfriendly, more wild and annoying, than the early Friends. It seemed to be their "very stuff of the conscience" to make trouble and give offence.

The sect appeared in that agitated period of the English Commonwealth, which gave rise to various eccentricities of speculation and of action. Quakerism was the ultimate manifestation of disgust at a religion of sacrament and spectacle.[1] George Fox is reputed to be its founder, though John Reeves and Ludovick Muggleton had obtained some notoriety by preaching a doctrine similar to his, a short time earlier. Fox, a native of Drayton in

Its origin.

George Fox, its reputed founder.

[1] William Penn, Select Works, V. 203–231.

Leicestershire, was a shoemaker by trade. He was of a thoughtful and devout turn of mind; and he had begun, while yet a youth, to revolve anxiously some of the great problems of religion. He sought advice from his relations and from the ministers, but obtained none that would meet his case. One recommended to him to enlist in the army; another, to try bleeding; and another, to "take tobacco, and sing psalms." The formalism of religious institutions and worship caused him vehement displeasure; and the prevailing habit of appealing to Scripture as the absolute arbiter of religious truth, appeared to him an unworthy disparagement of that light within the soul, which "lighteth every man that cometh into the world." He took to solitude, sometimes living in a town, where he shunned companions, sometimes wandering among the Derbyshire hills, absorbed in contemplation and in the study of his Bible.

1646. At length, when he was twenty-two years old, he considered himself to have received some distinct revelations of truth. "As he was walking in a field on a first-day morning, it was discovered unto his understanding, that to be bred at Oxford or Cambridge was not enough to make a man to be a minister of Christ;" and, "some time after, it was opened in him that God, who made the world, did not dwell in temples made with hands."

"He had great openings now concerning the things written in the Revelations." "He fasted much, and walked often abroad in solitary places, taking his Bible with him, and then sat in hollow trees and lonely places till night came on; and frequently in the night he walked mournfully about, being surrounded with many sorrows." "He was clothed with leather, ... partly for the simplicity of that dress, and also because such a clothing was strong, and needed but little mending or repairing, which was commodious for him, who had

no steady dwelling-place, and everywhere, in his travelling about, sought to live in a lonely state."[1]

It would not have been safe to predict the effect of such a regimen on an ignorant, imaginative, and fervent mind. Fox's "understanding came more and more to be opened; . . . . . nevertheless his temptations continued, so that he began to question whether he might have sinned against the Holy Ghost." In a quiet way he made some proselytes to his still unshaped doctrine, 1647.
the first of whom was a woman named Elizabeth Hoolton. "Several persons, seeking the Lord, were become fellow-believers, and entered into society" 1648.
with him. "The virtues of the creatures were also opened to him; so that he began to deliberate whether he should practise physic for the good of mankind; but God had another service for him, and it was showed him that he was to enter into a spiritual labor." "He found also that the Lord forbade him to put off his hat to any man, high or low; and he was required to *Thou* and *Thee* every man and woman without distinction, and not to bid people *Good morrow* or *Good evening;* neither might he bow or scrape with his leg to any one."[2]

Perseverance in his track of thought, success in proselyting, and the sympathy of proselytes, naturally operated on Fox's bold nature to make him more aggressive. "He went to the courts, crying for justice, and exhorting the judges and justices to do justice." "Very burdensome it was to him, when he heard the bell ring to call people together to the steeple-house; for it seemed to him just like a market-bell, to gather the people, that the priest might set forth his ware to sale. Going on a first

[1] Sewel, History of the Quakers, 10 – 12. — "It was a dreadful thing to them, when it was told them, 'The man in leathern breeches is come.' At the hearing thereof, the priests in many places got out of the way, they were so struck with the dread of the eternal power of God; and fear surprised the hypocrites." (Fox, Journal, 55.)

[2] Sewel, History, &c., 13 – 18.

day of the week, in the morning, with some of his friends, to Nottingham, to have a meeting there, and having seen from the top of a hill the great steeple-house of the town, he felt it required of him to cry against that idol-temple, and the worshippers therein." He "went away to the steeple-house," and cried accordingly; whereupon "the officers came and took him, and put him into a nasty, stinking prison." "Having been kept in prison a pretty long time," he "was at length set at liberty, and then travelled as before in the work of the Lord." On his release, he cured with his word "a distracted woman," when "the doctor, being about to let her blood, could get no blood from her," and then "was moved to go to the steeple-house, and declare there the truth to the priest and the people; which doing, the people fell upon him, and struck him down, almost smothering him, for he was cruelly beaten and bruised with their hands, Bibles, and sticks; then they haled him out, though hardly able to stand, and put him into the stocks, where he sat some hours."[1]

1649.

At twenty-five years of age, — poor and unlearned, contemplative and ambitious, with a sturdy frame and an inflexible will, — Fox was now fairly engaged. His tongue was against every man, and — as might naturally follow, even in less agitated times than that in which he lived — every man's hand was against him. With all the rhetoric of invective supplied by his good knowledge of colloquial English, — a dialect not deficient in resources for that use, — he berated the priests of all descriptions and their followers, choosing the steeple-houses and the hours of service for the places and times of his remonstrances. To his "friends," the "priests," he wrote, that "as Jannes and Jambres withstood Moses, so did they resist the truth, being men of corrupt minds;" and he advised his "friends," the magistrates, to "weep and howl

[1] Sewel, History, &c., 19 – 21.

for their misery that should come." While a justice of the peace was signing a mittimus for his detention after one of these exercises, "Fox bade him and those about him '*tremble* at the word of the Lord.'" The magistrate "took hold of this weighty saying with such an airy mind, that from thence he took occasion to call him and his friends scornfully *Quakers*. This new and unusual denomination was taken up so eagerly, and spread so among the people, that not only the priests there from that time gave no other name to the Professors of the Light, but sounded it so gladly abroad that it soon ran over all England."[1] 1650.

Such a temper as Fox's suited the temper of the times in which he began his movement. If his doctrine was somewhat misty and unsatisfying,[2] his stout English courage admitted of no question. Just as one of his terms of imprisonment was about to expire, the arrangements were making for Cromwell's second campaign against the Scots; and, "there being many new soldiers raised, the commissioners would have had George Fox captain over them, and the soldiers cried they would have none but him;" but he told them "that he lived in the virtue of that life and power that took away the occasion of all wars." His enterprise had a mighty fascination for men who, after their successful practice with the chivalry of England, found in themselves a reserve of still unused love of conflict. One of his early converts was "Lieutenant-Colonel John Lilburn, an extraordinary bold man, very stiff and inflexible."[3] After being whipped and set in the pillory for a libel upon the bishops, Lilburn had become one of the best officers of the civil war. Having helped to beat 1651.

Fox's military converts.

[1] Sewel, History, &c., 24; comp. 572.

[2] In fact, Fox can scarcely be said to have taught any scheme of faith. The dogmatic system of Quakerism was rather the fabric of his successors, Penn and Barclay.

[3] Ibid., 37, 38, 119; comp. Carlyle, Oliver Cromwell, I. 200, 240.

the King, he turned upon the Parliament, who had him arraigned for treason. He was acquitted, but was banished by a Parliamentary Ordinance, which threatened him with death, if he should return. He returned, was tried for this offence, and was again acquitted, greatly to the disgust of Cromwell, who then confined him in Dover Castle.[1] There he fell in with a disciple of Fox, who converted him; and he passed his last years as a Quaker preacher, though it was some time before he was "fully convinced that to refrain the use of the carnal sword was the duty of a true Christian." Of others who became eminent Quaker apostles, Richard Hubberthorn and William Ames had been officers in the Parliament's army; and Ames had been so benighted, "that, when any soldier under his colors had been guilty of any immorality on a first day of the week, he presently had him bound neck and heels." James Naylor, "a man of excellent natural parts, ... so that many came to receive the truth by his ministry," had been "Quarter-Master in Major-General Lambert's troop in Scotland."[2]

1649. Oct. 24. 1652. Jan. 20. 1653. July 13.

Spread of the sect. 1652. 1654.

In the fourth year of the Commonwealth there were twenty-five preachers of Fox's doctrine. Two years later, the number had increased to sixty. The messengers of the new dispensation now looked abroad for a larger sphere of labor. Evangelists went first to Scotland, and in the next year to Ireland;[3] and that course of operations was energetically entered upon, which soon carried the proclamation of this eccentric faith to the northern, eastern, and western regions of Continental Europe, to the Vati-

[1] During the time of Cromwell's ascendency, no agitator gave him more trouble than Lilburn. The two trials in which he was acquitted are among the most memorable instances of the courage of juries, to be found in the history of English jurisprudence. (State Trials, II. 19 *et seq.*, VII. 354 *et seq.*; Thurloe, Collection of State Papers, I. 367, 429, III. 512.) The issue of the latter trial, particularly, caused Cromwell extreme chagrin.

[2] Sewel, History, &c., 87, 106, 107, 134.

[3] Ibid., 61, 78, 91.

can palace, to the camp of the Grand Seignior, and to the islands of the sea. For "a meeting-place" a large hall was taken at the *Bull and Mouth* Inn in London.[1]

With the increase of the Quakers in number, and the extension of their plans for proselyting, the sect and its opponents became more excited. "By the priests and teachers of several sects abundance of books were now spread against the Quakers, as seducers and false prophets," while ready Quaker pens "did not suffer those writings to go unanswered, but clearly showed the malice and absurdities of those writers." At the same time, neither courts of justice nor mobs were idle. Bristol, Norwich, and Oxford were among the places specially complained of. At Bristol, two preachers "were assaulted by the rabble," who "violently abused them with beating, kicking, and a continual cry, 'Knock them down,' 'Kill them,' or 'Hang them presently.'" They replied with expostulations uttered "in zeal;" and "this instigated the rabble to that degree, that now they thought they had full liberty to use all kind of insolence against the said people, beating, smiting, pushing, and often treading upon them, till blood was shed; for they were become a prey to every malapert fellow, as a people that were without the protection of the law."[2] The magistrates took the business

Its reception in England.

[1] Sewel, History, &c. 82.

[2] Ibid., 135, 136. Comp. 83. — No place was more savage against the Quakers than Bristol; and — whether this is to be considered cause or effect — it was one of the places which they chose for their most disagreeable demonstrations. James Naylor, a person of such consideration that, in letters of one of his friends, he was addressed as "The Everlasting Son of Righteousness, Prince of Peace, The Only Begotten Son of God, The Fairest of Ten Thousand," &c., rode into Bristol, with a man walking bareheaded before him, and a woman leading his horse, while three others spread their scarfs and handkerchiefs before him, and the company sang, "Holy, Holy is the Lord God of Hosts; Hosannah in the Highest; Holy, Holy, Holy is the Lord God of Israel." It should be mentioned, however, that the private opinion of the Quaker historian was, that "J. Naylor was clouded in his understanding in all this transaction," though "it pleased God, in his infinite mercy, to raise him up again." Fox, who, in his way, was

in hand, and committed them to prison as Romish emissaries; for, strange to say, this opinion of them had obtained no little currency and credit.[1]

1655. Jan. 25.

Some of the "abundance of books" in this controversy must have soon reached New England, and with them some rumors of the acts and purposes of the new sect, — rumors not weakened in their unpleasant import by the distance they had travelled.[2] In the same year in which the written arraignments and apologies of Quakerism began to multiply, treatises "under the names of John Reeves and Ludovick Muggleton, who pretended themselves to be the two last witnesses

a Diotrephes, and "loved to have the pre-eminence," disapproved Naylor's course. (Ibid., 134.)

Evelyn had the curiosity to visit some Quakers in prison in London. He found them "a melancholy, proud sort of people, and exceedingly ignorant. One of them was said to have fasted twenty days; but another, endeavoring to do the like, perished on the tenth." (Memoirs, &c., I. 301.)

[1] "Forasmuch" — so runs the preamble of the warrant for their apprehension — "as information hath been given us upon oath, that certain persons of the Franciscan order in Rome have of late come over into England, and, under the notion of Quakers, drawn together several multitudes of people in London; and whereas certain strangers, going under the names of John Camm . . . . . and Edward Burrough, and others unknown, have lately resorted to this city, and in like manner, under the notion of Quakers, drawn multitudes of people after them, and occasioned very great disturbances amongst us; and forasmuch as, by the said information, it appeareth to us to be very probable, and much to be suspected, that the said persons, so lately come hither, are some of those that came from Rome, as aforesaid," &c. (Besse, Collection of the Sufferings of the People called Quakers, &c., I. 40. Comp. Baxter, Quaker's Catechism, Præf.)

[2] See Richard Baxter, Quaker's Catechism, Præf., 1. Thomas Underhill, "Hell Broke Loose," 6, 33, 36. John Wigan, "Antichrist's Strongest Hold Overturned," 57, &c. — Baxter's book was published in 1656; Underhill's not till 1660, and Wigan's in 1665. But much of the substance of the two last-named books must have been long in circulation. When I refer to such stories as Underhill has collected, I am not to be understood as adopting them for true. I have not the means of ascertaining their truth, nor would their truth or falsity be to my purpose. I refer to them for what is to my purpose; — namely, to show what was reported and believed of the Quakers in respectable quarters in the mother country, and what, on that report, would be received in New England as substantial truth. The subsequent conduct of the Quakers in New England, however, was of a character to make those statements probable to their full extent.

and prophets of Jesus Christ," appeared in Massachusetts, and the Court passed an order, which, as far as appears, was executed without difficulty, that the volumes should be brought in and burned.[1] No long time passed, before it must have come to their knowledge that emissaries more potent than books might be expected to be soon upon the way to them. The energetic travellers who were not to be deterred by the strange customs and languages of Germany and the Levant, could not be supposed to overlook New England, or to regard it otherwise than as "a field white to harvest." If Quaker preachers were Franciscan friars in disguise, as some people in England thought, they must be allowed no sphere for machinations in New England. If — as appeared to be quite generally understood where they were known — they were publishers of irreligious fancies, declaimers against everything established, "evil-speakers against dignities" of every sort, provokers of tumult and violence wherever they came, then whoever had a right to refuse their companionship would do well to make his door fast against them.

1654. Aug. 22.

Expectation of the arrival of Quakers in Massachusetts.

So reasoned Endicott and his counsellors when they heard of the new danger that was to be confronted. Their imaginations represented the fabric of their institutions overthrown, and all their long and arduous work undone. The memory of the Antinomian troubles had not perished, and they intensely dreaded the renewal of such a strife. The unsettled condition of things in the parent country warned them to be sternly watchful. If the iron hand of Cromwell could scarcely restrain hot-headed men from intolerable irregularities, how was such restraint to be imposed where the bands of authority were so loosely knit as among themselves? They overrated the danger; for they did not know — what later

[1] Mass. Rec., IV. (i.) 204.

experience has shown — that, at any one time, there is but little fuel in the world for such excitement, because the class of minds susceptible of it is small. But, estimating it as they erroneously did, in an evil hour they resolved to keep this dangerous people out of Massachusetts. All the more stiffly did this vigorous people resolve that into Massachusetts they would come, and there they would abide till it should suit them to depart.

It is an unequal contest that is waged with adversaries, who — whether by reason of insanity, or of passion, or of conscientiousness — are unembarrassed by the fear of death. Diogenes overcame the pride of Alexander with greater pride; the English Quakers broke down the obstinacy of the Puritan New-Englanders by more stubborn obstinacy. This time the Colonial authorities entered on their warfare without an intelligent counting of the cost. They did not know their opponents. Proceeding on the conviction that their territory was strictly their own homestead, and, as such, was invested with all the rights of security and privacy that a private proprietor enjoys, they had repeatedly asserted their right to its exclusive occupation by warning away or dismissing persons whose society they did not relish.[1] In numerous instances they had banished intruders, and their decree of banishment had always been final. That they should pass such a decree, and that it should be disobeyed, would be the opening of a strange chapter in their experience.

[1] The reader who would fully understand the claims and convictions of the rulers in Massachusetts in respect to their right to possess their territory exclusively, and to warn or drive away intruders, must take the trouble to look at Winthrop's argument in Hutchinson's Collection, 68, 69. — As a corporation, they had acquired from the King of England whatever rights England had to the country. As a corporation, they had acquired, by agreement and purchase, whatever rights the Indians had. As owners of the country by both these titles, they had an absolute right to say who should dwell in it. Such was their doctrine. With all explicitness, it had long before this time been asserted in England by Winslow in "New England's Salamander," &c. (See Mass. Hist. Coll., XXII. 120; comp. Edward Johnson, 206.)

In respect to this passage of her history, Massachusetts was unfortunate in the temper of the three men who had now the most important agency in her administration. The Governor and Deputy-Governor at this time were Endicott and Bellingham. With the vehement character of both, the reader has already some acquaintance. To them and to John Norton the Quakers — correctly, as it seems — ascribed the chief influence in determining the course of measures which was now begun. After Cotton's death, Norton must be regarded as the leading minister of the Colony.[1] He came to New England five years after Winthrop, and, having served the Plymouth church for a few months, became Nathaniel Ward's successor at Ipswich, where he remained twenty years. When Cotton died, Norton was thought worthy above others to succeed him in the important position of Teacher of the church of Boston; and he was installed in that office in the month in which Quakers first came to New England. His commanding abilities and his melancholy temperament gave a character to the part which he acted in the scenes which followed.

Endicott, Bellingham, and Norton.

1635.

1656. July 23.

The first notice of the Quakers in Massachusetts occurs in an order passed by the General Court appointing "a public day of humiliation," of which the purpose first named was "to seek the face of God in behalf of our native country, in reference to the abounding of errors, especially those of the Ranters and Quakers."[2] Scarcely was the fast-day over, when a vessel from Barbadoes brought into Boston harbor two Quaker women, Mary Fisher and Ann Austin.

May 14.

Quakers at Boston. July.

[1] Norton was born at Starford, in Hertfordshire, and educated at Peter House, Cambridge. He graduated Bachelor of Arts in 1623, and, taking orders, became curate of the church in his native place, and afterwards chaplain to Sir William Masham. He came to Plymouth in company with Edward Winslow. See Vol. I. 544; also see above, pp. 92, 155, 176, &c.

[2] Mass. Rec., IV. (i.) 276.

The Governor, Deputy-Governor, and four other Magistrates, met, and ordered that the master of the
July 11. vessel should give bonds to carry the women back to Barbadoes;[1] that they should be kept in gaol till their departure; and that some books which came with them should be burned by the executioner.

The two unwelcome visitors from Barbadoes had but just left Boston on their return, when another
Aug. 5. vessel brought from England eight other persons
Aug. 7. of the same persuasion, four men and as many women, besides a man who had joined the party at Long Island, and been converted on the passage thence. Officers went on board in the harbor, and led them away to gaol. At their examination before the Magistrates, they confirmed the opinion which had spread respect-
Sept. 8. ing the proficiency of the sect in the use of opprobrious language. One of them, Mary Prince, taken to Endicott's house for a conference with two ministers, reproached them as "hirelings, Baals, and seed of the serpent."

The master of the vessel which had brought this company was laid under bonds to convey them back again to England; and, after eleven weeks' confinement, they were accordingly re-embarked and sent away. The
Oct. 21. shipmaster complained of the hardship of the engagement into which he was made to enter. But the Magistrates suspected — what was indeed true — that the Quakers intended to get on shore again after leaving the harbor. While in Boston gaol, they had corresponded with Gorton, who, though no Quaker, was willing to do his best to help them in annoying Massachusetts. He wrote to them that, if he could but be informed when they would sail, he would make arrangements to take them out of the English vessel at sea, and land them

[1] I suppose this proceeding was had under the law passed in 1637, with reference to the friends of Mrs. Hutchinson. See Vol. I. 483.

in Narragansett Bay. This scheme was frustrated by the caution of the Magistrates. The prisoners wrote to Gorton, that the terms of the security required of the ship-master were peremptorily persisted in, and that his plan in their behalf must be abandoned.[1]

The alarm which had been excited was not confined to Massachusetts. While the second party of Quaker missionaries were in prison, the Federal Commissioners at their annual meeting resolved to "propose to the several General Courts, that all Quakers, Ranters, and other notorious heretics, should be prohibited coming into the United Colonies, and, if any should hereafter come or arise, that they should be forthwith secured, or removed out of all the jurisdictions."[2] Each of the confederated Colonies proceeded to act upon this recommendation. Connecticut imposed a fine of five pounds a week upon every town that should "entertain any Quakers, Ranters, Adamites, or such like notorious heretics;" directed magistrates to commit such intruders "to prison, for the securing of them until they could conveniently be sent out of the jurisdiction;" and ordered that ship-masters, who should land them, should "be compelled to transport them again out of the Colony, at their first setting sail."[3] New Haven[4] and Plymouth made similar enactments.[5]

Action of the Federal Commissioners. Sept. 17.

Action of the Colonies. Oct. 2.

1657. May 27. June 8.

When the General Court of Massachusetts met, they at once took up the case of what they described as the "cursed sect of heretics lately risen up in the world, which are commonly called Quakers, who take upon them to be immediately sent of God, and infallibly assisted by the Spirit to speak and

Proceedings in Massachusetts. 1656. Oct. 14.

[1] R. I. Hist. Coll., II. 16.
[2] Records, &c., in Hazard, II. 349.
[3] Conn. Rec., I. 283.
[4] N. H. Rec., II. 217.
[5] Brigham, Compact, with the Charter, &c., 102, 103. Plymouth about the same time (1657, May 19) forbade the holding of Quaker meetings by "strangers or others." (Ibid., 104.)

write blasphemous opinions, despising government and the order of God in church and commonwealth, speaking evil of dignities, reproaching and reviling magistrates and ministers, seeking to turn the people from the faith, and gain proselytes to their pernicious ways." And, in order "to prevent the like mischief as by their means was wrought in their native land," the Court now required shipmasters, who should bring Quakers into the jurisdiction, to pay a fine of one hundred pounds, and to give security for the re-transportation of such passengers to the port whence they came. It was at the same time enacted, that Quakers coming into the Colony should "be forthwith committed to the House of Correction, and at their entrance to be severely whipped, and by the master thereof to be kept constantly to work, and none suffered to converse or speak with them during the time of their imprisonment;"—that a fine of five pounds should be incurred by the importation, circulation, or concealment of Quaker books;—that persons presuming "to defend the heretical opinions of the said Quakers" should be punished, for the first offence, by a fine of two pounds; for a second, by a fine of four pounds; and for a third, by imprisonment in the House of Correction till there should "be convenient passage for them to be sent out of the land;"—and that "what person or persons soever should revile the office or person of magistrates or ministers, as was usual with the Quakers, such person or persons should be severely whipped, or pay the sum of five pounds."[1] This law, forthwith "published, in several places of Boston, by beat of drum," betrays the excitement into which the government had been thrown by the transactions of the previous summer. Nicholas Upsall,[2] an ancient citizen, for "reproaching the

Oct. 21.

[1] Mass. Rec., IV. (i.) 277.

[2] A Nicholas Upsall took the freeman's oath among the first, in 1631. (Mass. Rec., I. 366.) I suppose this was the man. Comp. Gerard Croes, Historia Quakeriana, 394 *et seq.*

honored Magistrates, and speaking against the law made and published against Quakers," was sentenced to pay a fine of twenty pounds, and to "depart the jurisdiction within one month, not to return under the penalty of imprisonment."[1]

The admonition designed by the new laws was, before long, to be practically enforced. Anne Burden and Mary Dyer came to Boston from England. The latter was the wife of the Secretary of Rhode Island, to which Colony, twenty years before, she had gone from Boston after the Antinomian dissension.[2] Both were imprisoned. Burden, after two or three months, was sent back to England. Dyer, pleading ignorance of the law, was delivered to her husband, to be conducted home, on his giving security "not to lodge her in any town of the Colony, nor to permit any to speak with her."[3] But Mary Clarke, who had made the voyage from London "to warn these persecutors to desist from their iniquity," was scourged. Christopher Holden and John Copeland, two of the party who had been reshipped to England in the preceding autumn, appeared again at Salem, "and spoke a few words in their meeting after the priest had done;" they were whipped and imprisoned, and Lawrence and Cassandra Southwick, of Salem, were imprisoned for having harbored them.[4] "The next that came from England, as being under a necessity from the Lord to come to this land of persecution, was Richard Dowdney." He received the same treatment as Holden and Copeland, and the three were

1657.

[1] Mass. Rec., IV. (i.) 277, 280.

[2] Dyer was an object of peculiar abhorrence in Boston, on account of an absurd story of her having given birth to a monster, a divine judgment for her attachment to Mrs. Hutchinson. Winthrop tells the story in unpleasant detail (I. 261 – 263).

[3] "An evident token," says Sewel, who relates the proceeding, (History, &c., 167,) "that he was not of the society of Quakers, for otherwise he would not have entered into such a bond."

[4] Ibid., 168; Bishop, New England Judged, 50 – 53; Croes, Histor. Quaker., 398.

sent away together. The four visitors last named belonged to a party of fifteen who, having arrived from London at New Amsterdam, thence dispersed themselves into New England.[1] Three women of this company, Sarah Gibbons, Mary Wetherhead, and Dorothy Waugh, had been sent to England with Holden, Copeland, and others, in the year before.

July.

It seemed probable that the recent enactments had had some effect, while, on the other hand, it was clear that they were not fully adequate to their purpose; and both considerations prompted to the trial of measures more severe. The fine for harboring Quakers was now increased to the amount of forty shillings for every hour; the forfeiture for bringing them was enforced by a more rigid rule; and it was ordered that every Quaker, coming into the jurisdiction after having been once punished, should, for the first offence, suffer the loss of one ear; for a second offence, the loss of the other; and for a third, should have the tongue "bored through with a hot iron."[2] Of the three last-mentioned provisions, the last two never took effect. The other, after the lapse of nearly a year, — for the repugnance to it must have been hard to overcome, — was executed in three instances. Holden, Copeland, and John Rouse, who had twice come back after being banished, each had the right ear cut off by the constable. The sad scene took place within the prison walls, in the presence of only a few witnesses.[3]

Oct. 14

1658. Sept. 16.

The Federal Commissioners were at this moment in

[1] Brodhead, History, &c., 636. In the British Museum is a copy of a journal of this voyage, under the title, "A Quaker's Sea-Journal, being a True Relation of a Voyage to New England, performed by Robert Fowler," &c.

[2] Mass. Rec., IV. (i.) 308.

[3] Bishop, New England Judged, 91. — This punishment continued to be prescribed by law in New England for forgers and counterfeiters almost to the close of the last century.

session at Boston, under the presidency of Endicott. Their last proceeding before they parted was to pass the following vote: — Sept. 2-23.

"Whereas there is an accursed and pernicious sect of heretics lately risen up in the world who are commonly called Quakers, who take upon them to be immediately sent of God and infallibly assisted; who do speak and write blasphemous things, despising government and the order of God in church and commonwealth, speaking evil of dignities, reproaching and reviling magistrates and the ministers of the Gospel, seeking to turn the people from the faith, and to gain proselytes to their pernicious ways; — and whereas the several jurisdictions have made divers laws to prohibit and restrain the aforesaid cursed heretics from coming amongst them, yet notwithstanding they are not deterred thereby, but arrogantly and presumptuously do press into several of the jurisdictions, and there vent their pernicious and devilish opinions, which being permitted tends manifestly to the disturbance of our peace, the withdrawing of the hearts of the people from their subjection to government, and so in issue to cause division and ruin, if not timely prevented; — it is therefore propounded and seriously commended to the several General Courts, upon the considerations aforesaid, to make a law that all such Quakers formerly convicted and punished as such, shall (if they return again) be imprisoned, and forthwith banished or expelled out of the said jurisdiction, under pain of death; and if afterwards they presume to come again into that jurisdiction, then to be put to death as presumptuously incorrigible, unless they shall plainly and publicly renounce their cursed opinions; and for such Quakers as shall come into any jurisdiction from any foreign parts, or such as shall arise within the same, after due conviction that either he or she is of that cursed sect of heretics, they be banished

under pain of severe corporal punishment; and if they return again, then to be punished accordingly, and banished under pain of death; and if afterwards they shall yet presume to come again, then to be put to death as aforesaid, except they do then and there plainly and publicly renounce their said cursed opinions and devilish tenets."[1]

Massachusetts, alone of the four Colonies, carried this advice into full effect. The General Court of that Colony, which met three weeks after the adjournment of the Commissioners, received a memorial from twenty-five leading citizens of Boston, urging the necessity of more efficient measures of protection against the Quakers. "Their incorrigibleness," say the petitioners, "after so much means used both for their conviction and preserving this place from contagion, is such as, by reason of their malignant obdurities, daily increaseth rather than abateth our fear of the spirit of Muncer or of John of Leyden renewed, and consequently of some destructive evil impending." And they formally present the question, whether "it be not necessary, after the example of other Christian commonwealths infested with pests not more perilous than these are, and the common and universally approved argument of *se defendendo*, upon the sad experience that the remedy hitherto applied is not only not effectual, but contemned and abused with the highest hand, if, after the sentence of banishment added thereunto, they shall still presumptuously obtrude themselves upon this jurisdiction, — whether,

[1] Records, &c., in Hazard, II. 399, 400. — It was the practice of the Commissioners to append to the record of each meeting the following entry, with their names attached, namely, "These foregoing conclusions were agreed and subscribed by the Commissioners the —— day of ——, ——." The record of the present meeting, as printed by Hazard, was thus certified by all the Commissioners except Josiah Winslow, of Plymouth, whose name, however, appears in the Connecticut copy of the Journal. John Winthrop, of Connecticut, attached to his subscription the following words: "Looking at the last [the vote relating to the Quakers] as a query, and not an act, I subscribe."

we say, it be not necessary to punish so high incorrigibleness in such and so many capital evils with death."[1]

The provision which threatened with death persons returning after being banished, was no novelty in Massachusetts legislation.[2] It had been resorted to over and over again, through a course of years, and had never once failed of its intended effect in inducing the banished persons to stay away, and to confine themselves, at least, to such annoyance as they could inflict from a distance. Not to name such simple cases as those of Stone,[3] South[4], Buet,[5] Collins, and Francis Hutchinson,[6] it might naturally be presumed that the threat, which had proved adequate to rid Massachusetts permanently of the presence of persons so determined as Samuel Gorton and his compeers,[7] would be effectual for the same purpose in any case that might arise. And there can be no doubt whatever, that, among those who favored a law threatening Quakers with death if they should return from banishment, there was a con-

[1] Mass. Archives, X. 246. — Among the petitioners were John Wilson and John Norton, the Pastor and the Teacher of the Boston church; Hezekiah Usher; John Hull, master of the mint; Anthony Stoddard, Deputy from Boston, a brother-in-law of George Downing; and Captain Thomas Savage, Speaker of the House of Deputies, the same who had himself been disarmed in the Antinomian controversy. See Bishop, "New England Judged by the Spirit of the Lord," 101. The First Part of Bishop's book, bringing the story down to the middle of March, 1661, was published at London in that year. The Second Part, continuing the narrative to May, 1665, was published in 1667. Sewel, publishing in 1722, and Besse in 1753, made large use of Bishop's book in those parts of their respective works which relate to the hardships of their friends in New England.

[2] Nor was it known only to the legislation of Massachusetts. See Conn. Rec., I. 242.

[3] Mass. Rec., I. 108.

[4] Ibid., 234.

[5] Ibid., 312.

[6] Ibid., 336.

[7] See above, 135, 136. — In the province of New York, laws of this tenor, against Romish ecclesiastics, were in force down to the year 1774. — As late as September, 1778, the General Court of Massachusetts passed an Act forbidding the return of loyalist refugees. If they came, they were to be sent away. If they returned a second time, they were "to suffer the pains of death, without benefit of clergy." (Acts and Laws for 1778, Chap. XIII.; comp. Hist. Mag., III. 313; Joseph Willard, "Naturalization in the American Colonies," &c., p. 25.)

fident persuasion that the terror of the law would accomplish all that was desired, and would prevent any occasion for its execution.[1]

But they who thus reasoned did not yet know the persons with whom they had to deal. They had not taken the measure of Quaker pertinacity. There were others who had observed to better purpose the temper of the new sect, and who better understood the risk that would be incurred by the enactment which was proposed. It was warmly contested, chiefly in the House of Deputies. That body, which this year consisted of thirty-four members, at length passed it by a majority of one vote, after long debate and repeated conferences with the Magistrates. The provision was, that thenceforward persons convicted by a special jury "to be of the sect of the Quakers," should "be sentenced to banishment upon pain of death."[2]

Law for punishing Quakers, returned from exile, with death. October.

[1] There was already a law of eleven years' standing, which banished Jesuits and Romish priests from Massachusetts, and threatened them with capital punishment, if they should return. (Mass. Rec., II. 193; III. 112.)

[2] Mass. Rec., IV. (i.) 346. — For the particular proceedings in the passing of this vote, see Bishop, "New England Judged," 101. I always take for granted the correctness of the statements of the Quaker historians, as to matters respecting which they had access to good information.

At the meeting a year before the Federal Commissioners recommended this harsh measure to their constituent Colonies, they addressed a letter (September 12, 1657) to the Chief Magistrate of Rhode Island, acquainting him with the irruption of Quakers into Massachusetts through that territory, and desiring that measures might be taken for their exclusion from it. (Records, &c., in Hazard, II. 370, 371.) The Magistrates (Benedict Arnold being now President) made a courteous communication on the subject to the General Court of Massachusetts. They said: "We have no law among us whereby to punish any for only declaring by words, &c., their minds and understandings concerning the things and ways of God as to salvation and an eternal condition. And we, moreover, find, that in those places where these people aforesaid, in this Colony, are most of all suffered to declare themselves freely, and are only opposed by arguments in discourse, there they least of all desire to come. And we are informed that they begin to loathe this place, for that they are not opposed by the civil authority, but with all patience and meekness are suffered to say over their pretended revelations and admonitions. Nor are they like or able to gain many here to their way. Surely we find that they delight to be persecuted by civil pow-

The Court was not insensible to the responsibility of the step that had been taken, nor to the strong pressure of public sentiment in an opposite direction. Deferring to the necessity for an explanation of its course, it ordered that there should be "a writing, or declaration, drawn up and forthwith printed, to manifest the evil of the tenets of the Quakers, and danger of their practices, as tending to the subversion of religion, of church order, and civil government, and the necessity that this government is put upon, for the preservation of religion and their own peace and safety, to exclude such persons from amongst them, who, after due means of conviction, should remain obstinate and pertinacious."[1] Mr. Norton, Teacher of Boston, was desired to compose the "declaration."[2]

ers; and when they are so, they are like to gain more adherents by the conceit of their patient sufferings than by consent to their pernicious sayings." (R. I. Rec., I. 377.) This was a wise view of the subject. But it is also to be remembered, on the one hand, that the Quakers could find little to do in Rhode Island in their vocation as disturbers of order, for in Rhode Island there was little established order for them to disturb; and that, on the other hand, their worst disorders in Massachusetts took place after the severity of the laws against them had been relaxed. The opinion entertained of them and of their courses by the Rhode-Island authorities was not favorable. "We conceive," say Arnold and his associates, "that their doctrines tend to very absolute cutting down and overturning relations and civil government among men, if generally received. But, as to the damage that may in likelihood accrue to the neighbor Colonies by their being here entertained, we conceive it will not prove so dangerous (as else it might) in regard of the course taken by you to send them away out of the country, as they come among you." (Ibid.)

The Turk's method of dealing with the Quaker emissaries was the happiest. Prompted by that superstitious reverence which he was educated to pay to lunatics, as persons inspired, he received these visitors with deferential and ceremonious observance, and with a prodigious activity of genuflections and salams bowed them out of his country. They could make nothing of it, and in that quarter gave up their enterprise in despair.

[1] Mass. Rec., IV. (i.) 348.

[2] Norton's "Declaration" was printed at the public charge in 1659, at Cambridge, by Samuel Green, in fifty-eight pages, small quarto. The first clause of its long title is, "The Heart of New England Rent at the Blasphemies of the present Generation." Norton labors hard to show a similarity of the principles and beginnings of the Quakers to those of the disciples of Muncer and Knipperdoling, with a view to make his readers infer that the developments in the present case would be not less mischievous. — "The wolf,"

Imprudently calculating on the effect of their threats, the Court had placed themselves in a position which they could not maintain without grievous severity, nor abandon without humiliation and danger. For a little time there seemed reason to hope that the law would do its office without harm to any one. The first six Quakers

1659. May. who were banished after its enactment went away and returned no more.[1]

But men more desperate than these had the matter in hand. William Robinson, "being in Rhode Island," conceived that "the Lord had commanded him to go to Boston, and to lay down his life there." Marmaduke Stevenson was at the island of Barbadoes when he "heard that New England had made a law to put the servants of the living God to death, if they returned after they were sentenced away." He took passage for Rhode

June. Island; and there "the word of the Lord came unto him, saying, 'Go to Boston with thy brother, William Robinson.'" The pair went accordingly. Mary Dyer "was moved of the Lord to come from Rhode Isl-

thought Norton, "which ventures over the wide sea, out of a ravening desire to prey upon the sheep, when landed, discovered, and taken, hath no cause to complain, though, for the security of the flock, he be penned up, with that door opening unto the fold fast shut, but having another door purposely left open, whereby he may depart at his pleasure, either returning from whence he came, or otherwise quitting the place." (Heart of New England Rent, &c., p. 56; comp. Rel. Baxter., II. 291.)

[1] Bishop, New England Judged, 100 *et seq.* — Daniel and Provided Southwick, Quakers of Salem, being fined for absence from public worship, refused to pay their fines, or to work in prison. "In answer to what should be done for the satisfaction of the fines, the Court, upon perusal of a law (which was made upon the account of debts), resolved, that the Treasurers of the several counties were, and should be, fully empowered to sell the said persons to any of the English nations, as Virginia or Barbadoes, to answer the said fines." (Bishop, 108–112; comp. Mass. Rec., IV. (i.) 366.) The Treasurer of Essex accordingly applied to the master of a vessel to take the Southwicks to Barbadoes, but without avail. If the expectation in this case was to extort the fine, or otherwise enforce submission, by terror, it was disappointed. But to me it does not seem probable that, if the Magistrates had been in earnest in the desire to have their prisoners conveyed away to servitude in another English colony, the refusal of one shipmaster would have defeated them.

and" to visit them; and they were also joined at Boston by Nicholas Davis, from Barnstable in Plymouth Colony. The four were apprehended and received sentence of banishment, with the addition that they should suffer death unless they withdrew from the jurisdiction. "Nicholas Davis and Mary Dyer found freedom to depart; ..... but the other two were constrained in the love and power of the Lord not to depart, but to stay in the jurisdiction, and to try the bloody law unto death." Possibly they doubted whether the Magistrates had nerve to execute it, or would be able to resist the popular pressure in favor of mercy. In that case their own triumph would be signal. But, in the last resort, they expected to conquer by dying. Sept. 12.

Robinson and Stevenson were at that age of early manhood when enthusiasm is most inconsiderate, and when, however the fact may be explained, experience shows that life is least prized. The day after their discharge, they appeared at Salem, whence they pursued their way to the settlements on the Piscataqua. After four weeks they returned to Boston, accompanied by some Salem friends, one of whom, a woman, showed the Governor some linen, which she said she had brought for the winding-sheets of those who were to suffer. Mary Dyer, having reconsidered her duty, had returned to Boston a few days before. On the second day of the session of the General Court, Robinson, Stevenson, and Dyer were arraigned at its bar for "rebellion, sedition, and presumptuous obtruding themselves, notwithstanding their being sentenced to banishment on pain of death, as underminers of this government," &c. Avowing themselves to be the persons "banished by the last Court of Assistants," they were sentenced to be hanged on the eighth day following.[1] Precautions were taken against a popular outbreak. Oct. 13. Oct. 19.

[1] Mass. Rec., IV. (i.) 383; Bishop, New England Judged, 114 *et seq.*

"Captain James Oliver, with one hundred soldiers ..... completely armed with pike, and musketeers with powder and bullet," was instructed "to lead them to the place of execution." Thirty-six soldiers were also to be "ordered by Captain Oliver to remain in and about the town, as sentinels to preserve the peace of the place while the rest should go to the execution;" and the selectmen of Boston were "to press ten or twelve able and faithful persons every night during the sitting of the Court, to watch with great care the town, especially the prison."[1]

At this point, without doubt, — if not before, — the government should have paused and retraced its steps. It would have had to acknowledge itself beaten; but this it could afford to do, and this it was obliged to do at last. The present mortification of defeat, as things stood, was only to be escaped by laying up cause for reflections still more painful. It was a misfortune for both parties in this contest, that, in the weaker party, idiotic folly was mated with an indomitable boldness. But, as it was so, the stronger could only maintain its ground at too great cost; and magnanimity and pity should have interposed. And, had not the provocations of the contest disturbed the judgment of the leaders, it should seem they might have owned that measures of extreme rigor were no longer indispensable for the safety of the institutions which it was their duty to protect. Whether or not their imaginations had exaggerated the original danger, it could no longer, after an experiment of more than three years, be justly considered great. With all the advantage of the compassion which their sufferings called forth, the Quakers had made comparatively an extremely small number of converts; for, if their sufferings com-

[1] Mass. Rec., IV. (i.) 383, 384. This Court sat nearly four weeks. They despatched a variety of other matters; but it is striking to see how, as if haunted by uneasiness about this business of the Quakers, they keep recurring to it in different forms. Ibid., 390, 391, 397, 403, 407, 410.

manded pity, their actings were too wayward to allow respect. Their oddities and dreams were proved to be not at all to the taste of the sober mass of the New-England people.

Such being the retrospect and such the prospect from the point at which this conflict had now arrived, it is not unreasonable to believe that, if the voice of Winthrop had not been hushed in the grave, the sad story of the severities against the Quakers would have extended little further. It is natural to imagine him urging, that, as to any shame in concession, the government was too strong, and should be too noble, to be proud; that, as to any danger in concession, the danger, whatever it might have been, was past, for, while many felt for the hardships of the eccentric intruders, few became their disciples; and that, though they had no right whatever to come to Massachusetts, yet, if they were bent on coming, as it now seemed they were, — to die there, if they were not permitted to live, — the price of being rid of them was too great. And such considerations, urged with an authority like his, could not have failed to arrest the enactment, or the execution, of the law, when, though backed by the influence of the three most considerable men who survived in the Colony, it had with difficulty been carried by a majority of one vote.

Perhaps each party had continued to hope that the other would relent when the terrible gallows should be reared. But so it was not to be. The contest of will was to last longer. Whatever the rulers of New England in those days promised or threatened, that it was their practice to do. On the other hand, if they presumed that their antagonists were accessible to fear, the supposition was without good ground. The eminent Quakers were set on being martyrs. Their Lord's precept, "When they shall persecute you out of one

city, flee ye into another," did not commend itself to their minds. On the appointed day, the convicts, surrounded by the guard, went from the gaol to Boston Common hand and hand, Mary Dyer walking between her companions. They attempted to address the crowd, but were prevented by the beating of drums. The two men were hanged, and their bodies were buried beneath the gallows. Mary Dyer, who had stood during the scene with a halter about her neck, was now told that she was dismissed to the care of her son, who had come from Rhode Island to intercede with the Magistrates in her behalf. Her courage had not yet reached the height to which it aspired. She was prevailed upon to accept the deliverance, and was led out of the jurisdiction.

Oct. 27. Execution of two Quakers.

The undaunted deportment of the sufferers increased the wide-spread resentment against the law which had condemned them. The Court, still in session, felt the embarrassments of its position, and immediately proceeded to consider some "declarations which had been presented to vindicate the justice of the proceedings." From several drafts which had been offered, it selected two to "go forth, by the authority and order of the General Court, the first of them to the press, to be printed, the other from the Secretary to the towns, in writing." "Although" — such is, in one of them, the language of the Court — "the justice of our proceedings against William Robinson, Marmaduke Stevenson, and Mary Dyer, supported by the authority of this Court, the laws of the country, and the laws of God, may rather persuade us to expect encouragement and commendation from all prudent and pious men, than convince us of any necessity to apologize for the same; yet, forasmuch as men of weaker parts, out of pity and commiseration (a commendable and Christian virtue, yet easily abused, and susceptible of

Declarations of the Court.

sinister and dangerous impressions), for want of full information may be less satisfied, and men of perverse principles may take occasion hereby to calumniate us, and render us as bloody persecutors, — to satisfy the one and stop the mouths of the other, we thought it requisite to declare that, about three years since, diverse Quakers, of whose pernicious opinions and practices we had received intelligence from good hands, ... arrived at Boston, whose persons were only secured to be sent away by the first opportunity, without censure or punishment;" and "the prudence of the Court was exercised only in making provision to secure the peace and order here established against their attempts, whose design we were well assured by our own experience, as well as by the example of their predecessors in Munster, was to undermine and ruin the same." At length, they say, other discouragements having been found insufficient, "a law was made that such persons should be banished, on pain of death, according to the example of England, in their provision against Jesuits." And they argue: "The consideration of our gradual proceedings will vindicate us from the clamorous accusation of severity, our own just and necessary defence calling upon us, other means failing, to offer the points which these persons have violently and wilfully rushed upon, and thereby have become *felones de se*; which might it have been prevented, and the sovereign law, *salus populi*, been preserved, our former proceedings, as well as the sparing of Mary Dyer upon an inconsiderable intercession, will manifestly evince we desire their life absent rather than their death present."[1]

Dyer was not satisfied with herself, and in the following spring she came back to Boston again,[2] and was

[1] Mass. Rec., IV. (i.) 385, 386.

[2] She had passed little, if any, of the intervening time at home. "I have not seen her above this half-year, and therefore cannot tell how, in the frame of her spirit, she was moved thus again

immediately put in prison. Her husband, then Secretary of Providence Plantations, wrote to Governor Endicott, blaming her misconduct, and entreating that she might be once more discharged. At her arraignment, "she gave no other answer, but that she denied our law, and came to bear witness against it, and could not choose but come, and do as formerly." Again she was condemned to die. At the gallows the offer was again renewed to her of release, if she would promise henceforth to keep out of Massachusetts. But she refused it, and met her fate with brave determination. "In obedience to the will of the Lord I came," she said, "and in his will I abide faithful to the death."[1]

Execution of two other Quakers.
1660. May 21.
June 1.

With an inconsistency which shows the repugnance felt by the Magistrates to executing the hard law, it was left inoperative in some cases of manifest violation.[2] But it had one more victim. William Leddra, for making disturbances at Salem and Newbury, had been committed to the House of Correction at Boston. There he refused to work for his food, and, having been repeatedly scourged, was at last dismissed, with the threat of death if he should return. He returned, and was put in prison. On his trial the offer of liberation was made to him, if he would engage to go to England; but he rejected it, saying that he had no business there. He was condemned and executed. "All that will be Christ's

1658. July.
1660. November.
1661. March.

to run so great a hazard to herself and perplexity to me and mine, and all her friends and well-wishers. So it is, from Shelter Island, about by Pequod, Narragansett, and to the town of Providence, she secretly and speedily journeyed, and as secretly from thence came to your jurisdiction. Unhappy journey, may I say, and woe to that generation, say I, that gives occasion to grief and trouble to those that desire to be quiet, by helping one another, as I may say, to hazard their lives for I know not what end, or to what purpose." (Letter of William Dyer to Endicott, May 27, 1660.)

[1] Sewel, History, &c., 227.

[2] Mass. Rec., IV. (i.) 419, 433.

disciples," he said at the foot of the ladder, "must take up the cross." The last words heard from his lips were those of the martyr Stephen, "Lord Jesus, receive my spirit."[1] March 14.

During Leddra's trial, Wenlock Christison, who had been banished, and threatened with death if he should return, came into court, and confronted the judges with bold language. "I am come here to warn you," he said, "that ye shed no more innocent blood." He was arrested, and after three months was brought up for trial. There was an unprecedented division among the Magistrates, and they are said to have been no less than two weeks in debate.[2] The Governor was so vexed at what he thought their want of spirit, that at one moment, "flinging something furiously on the table, he said, 'I could find it in my heart to go home'" (to England). "You that will not consent, record it," he cried, as he put the question a second time to vote; "I thank God I am not afraid to give judgment." Christison was condemned to die. But the dreadful sentence could not again be executed.[3] In the mean time the General Court had met, and the evidences of opposition to any further pursuance of this rigorous policy were unmistakable. The contest of will was at an end. The trial that was to decide which party would hold out longest had been made, and the Quakers had conquered.[4] May 22.

[1] Bishop, New England Judged, 329; Persecutions in New England, 13, 14.

[2] Sewel, History, &c., 270.

[3] Daniel Gould, who came in the company of Robinson and Stevenson from Salem to Boston, gives an account of the proceedings against them in his "Brief Narration of the Sufferings of the People called Quakers" (5–10).

[4] It seems, however, from the following paper in the Massachusetts Archives (X. 273), both that Christison was not informed how the tide was turning for his advantage, and that the pride of consistency in the Magistrates was spared the struggle which seemed to be awaiting it in his case:—

"I, the condemned man, doe give forth under my hand, that, if I may have my libarty, I have freedome to depart this Jurisdiction; and I know not yt ever I shall com into it any more.

"WINLOCK CHRISTISON.

from ye Goal in Boston,
ye 7th day of ye 4th mo. 1661."

It was settled that the Governor and Company of Massachusetts Bay were not to have the disposal of their home. They had bought it, and paid dear for it. They had on their side that sort of rigid justice which accredited writers recognize, when they lay down the rule that a perfect right may be maintained at any cost to the invader.[1] But trespassers had come who would not be kept away, except by violent measures, which had produced only a partial effect, and which the invaded could not prevail upon themselves any longer to employ. The feeling of humanity, which all along had pleaded for a surrender, at length uttered itself in overpowering tones.

Modification of the law against Quakers.

The Court, it is true, was not ready for such an express contradiction of some of the leading men, and such a formal concession of victory to the Quakers, as would have been afforded by a repeal of the law for capital punishment. But it made other enactments, which, in the existing state of feeling, would practically supersede the execution of that law. "Being desirous to try all means with as much lenity as might consist with safety to prevent the intrusions of the Quakers, who . . . . . had not been restrained by the laws already provided," they ordered that such intruders should be "tied to a cart's tail," and whipped from town to town "towards the borders of the jurisdiction." Should they return after being three times thus dealt with, and should "the Court judge not meet to release them," they were to "be branded with the letter R on their left shoulder, and be severely whipped and sent away in manner as before." Should they return yet again, they were then to be amenable to the previous law for banishment on pain of death.[2]

[1] Vattel, Law of Nations, Preliminaries, § 17; Burlamaqui, Principles of Natural and Political Law, Part I. Chap. VII. § 8; Puffendorf, Droit de la Nature, &c., Liv. I. Chap. VII. § 7.

[2] Mass. Rec., IV. (ii.) 2–4. It has been commonly said that it was a mandate from Charles the Second that put a stop to the ill-treatment of the Quakers in New England. See below, p. 520.

No hanging, and no branding, ever took place by force of this law. Under its provisions for other penalties, the contest between the rulers and the strangers was carried on for a considerable time longer. Though at length the vehemence on both sides cooled, it had not, on one side, yet reached its highest point of fervor. At first, after the discontinuance of capital punishment, the antics of the Quakers became more absurd than before. Far and near, they disturbed the congregations at their worship. George Wilson at Boston, and Elizabeth Horton at Cambridge, cried through the streets that the Lord was coming with fire and sword. Thomas Newhouse, having delivered in the meeting-house in Boston the message with which he alleged himself to be charged, broke two glass bottles "in a prophetic manner," proclaiming, "Thus will the Lord break you in pieces." One wretched woman, Mary Brewster, made herself a spectacle by walking about in a gown made of sackcloth; and another exhibited herself with her face smeared with grease and lampblack.[1] "Deborah Wilson . . . . . was constrained, being a young woman of very modest and retired life, and of sober conversation, as were her parents, to go through the town of Salem naked, as a sign." "Lydia [Wardel], being a young and tender, chaste woman, ... as a sign to them [the church at Newbury], went in (though it was exceeding hard to her modest and shamefaced disposition) naked amongst them."[2]

The number of Quakers who were fined, imprisoned, or scourged, under a sentence from the General Court of Massachusetts, was about thirty. The number of those punished in like manner by sentences of the county courts, is not ascertained.[3] Some similar proceedings

[1] Hutch. Hist., I. 187; Persecutions in New England, 20.

[2] Bishop, 377, 383.

[3] A summary in "A Declaration of the Sad and Great Persecution and Martyrdom of the People of God, called Quakers, in New England, for the Worshipping of God," is as follows: —

took place in New Haven[1] and Plymouth, — especially in Plymouth,[2] which, as being nearest to Rhode Island, the Quakers most frequented of all the confederate Colonies, after Massachusetts.[3] But, among the Colonies of New England, it is the unhappy distinction of the chartered — and therefore at

Proceedings against them in the smaller Colonies.

"Twenty-two have been banished upon pain of death. Three have been martyred. Three have had their right ears cut. One hath been burned in the hand with the letter H. Thirty-one persons have received six hundred and fifty stripes. One was beat while his body was like a jelly. Several were beat with pitched ropes. Five appeals made to England were denied by the rulers of Boston. One thousand forty-four pounds' worth of goods hath been taken from them (being poor men) for meeting together in the fear of the Lord, and for keeping the commands of Christ. One now lieth in iron fetters, condemned to die."

This book is in the form of an Address to the King, in reply to statements in the Address of the General Court of Massachusetts. (See above, p. 449.) It is signed by seven persons, all of whom had been sufferers in the Colony, and were now in London. A postscript, which has the signature of "E. B." (Edward Burrough, I suppose), is dated 15 March, 1660 (1661), indicating the time when it was presented. As might be expected in the circumstances, the treatise was aggressive as well as apologetic. It aimed to incense the King by averring (p. 11), that in "a letter subscribed by some of these petitioners" (the Massachusetts Magistrates) were these words: "There is more danger in the Quakers to trouble and overcome England, than in the King of Scots, and all the Popish princes in Germany."

[1] Bishop, 203, 204; Howgill, Popish Inquisition, &c., 12. — The one case of branding in the hand mentioned in the "Declaration," &c., was, I suppose, that of Humphrey Norton, in New Haven Colony. See N. H. Rec., II. 217, 238, 276, 291, 363, 412.

[2] See Bishop, 160 – 203; Howgill, Popish Inquisition, &c., 13 – 17. — James Cudworth, an important man of Plymouth Colony, was a friend and champion of the Quakers, though no convert to their opinions. Timothy Hatherly was in sympathy with him, and both were left out of the magistracy, in 1658, on account of the displeasure thus occasioned. For the legislation in Plymouth against the Quakers, extending through four years, see Brigham, Compact, &c., 102, 103, 114, 122, 125 – 127, 129, 130; comp. Plym. Rec., III. 111, 123 – 130, 139, 147, 151, 167, 176, 179, 184, 185, 197, 199; Baylies, Historical Memoir of Plymouth, II. 30 – 48. — In Connecticut, notwithstanding the menace of some dangerous-looking laws (Conn. Rec., I. 283, 303, 324), Bishop allows (pp. 226, 227) that, on the whole, his friends did not fare very ill; though they were not "suffered to abide," and two women "were imprisoned several days, and some of their clothes sold to pay their fees."

[3] In England, at the same time, thousands of Quakers were punished in the same way (see Sewel, 252, 254, 335); and the return of Quakers from banishment continued to be a felony in Virginia years after it ceased to be a felony in Massachusetts. (Jefferson, Notes on Virginia, Query

once more self-confident and more endangered — Colony of Massachusetts, to have been the only one in which Quakers who refused to absent themselves were condemned to die. Her right to her territory was absolute, deplorable as was the extreme assertion of it. No householder has a more unqualified title to declare who shall have the shelter of his roof, than had the Governor and Company of Massachusetts Bay to decide who should be sojourners or visitors within their precincts. Their danger was real, though the experiment proved it to be far less than was at first supposed. The provocations which were offered were exceedingly offensive. It is hard to say what should have been done with disturbers so unmanageable. But that one thing should not have been done till they had become more mischievous, is plain enough. They should not have been put to death. Sooner than put them to death, it were devoutly to be wished that the annoyed dwellers in Massachusetts had opened their hospitable drawing-rooms to naked women, and suffered their ministers to ascend the pulpits by steps paved with fragments of glass bottles.

The reader is aware that in Massachusetts there had been from an early period a law against Baptists, which had for the most part remained a dead letter, though in one important instance it had been carried rigorously into effect.[1] A congregation

Proceedings against Baptists.

17; compare Hening, Statutes at Large, II. 181.) — Howgill (Popish Inquisition, &c., 6 – 9) narrates at length "the grievous suffering of Robert Hodshon [a Friend] by the Governor of the Dutch Plantations in New England." But Hodshon gave up the point, and went away. For an account of Hodshon's case and several others like it, see Brodhead, History of New York, 637 – 639, 643, 689.

[1] See above, pp. 346 – 354. — In 1648, some "misdemeanor" of a Deputy from Dover, "with profession of anabaptistery, &c.," led to an investigation, which, as far as we know, ended in nothing. (Mass. Rec., II. 253.) In the same year, according to Backus (History, &c., iv.), a person of the name of Samuel Hubbard, and his wife, went from Connecticut to Newport, because, according to Hubbard's account, in consequence of being "enlightened" as to "baptizing only visible believers," they were "threatened with imprisonment to Hartford gaol, if they did not renounce it or remove."

of that sect, which was organized at Charlestown, gave special offence by receiving to the communion persons who had been excommunicated by other churches. Its meetings were forbidden, but were not discontinued.

1665. Oct. 11. Five of the members, being freemen, were accordingly disfranchised; and two, Thomas Gold and Thomas Osborn, were sent to prison, where they remained nearly a year.[1] After their discharge,

1666. Sept. 11. the meetings were resumed; and three leaders were sentenced to be banished from the jurisdic-

1668. May 27. tion, under the penalty of imprisonment, should they venture to return.[2] A petition, with influential sig-

Nov. 7. natures, was presented against this measure; and, though it was not granted,[3] no pains appear to have been taken to prosecute the offenders. Nothing further respecting the Baptists occurs in the records for twelve years, and in two years more the agents of the Colony in England had instructions to represent: "As for the Anabaptists, they are now subject to no other penal statutes than those of the Congregational way."[4]

A question respecting the rite of baptism, different

[1] According to Samuel Willard (Ne Sutor ultra Crepidam, 13), Gold had "used unbecoming gestures in the time of administration [of baptism], of which being asked the reason, he, before the congregation, acknowledged they were to cast disrespect upon it;" and Osborn, when his practices began, did "not so much as pretend any doubt about infant baptism." (Ibid., 15.)

[2] Mass. Rec., IV. (ii.) 290, 316, 373; comp. Mather, Magnalia, VII. 26 – 30. — An indication of the feeling which prevailed is seen in the republication, this year, at Cambridge, of a translation of Guy de Brez's exciting book, then a hundred years old, on "The Rise, Spring, and Foundation of the Anabaptists." — Had the Magistrates of Massachusetts known all that Lord Clarendon knew, they might have found a still further cause of alarm in a suspicion of having a new set of royal emissaries among them. Two years before the restoration of the exiled prince, he received a letter from some of his Baptist friends in England, in which they described the Protector as "that grand impostor, that loathsome hypocrite, that detestable traitor, that prodigy of nature, that opprobrium of mankind, that landscape of iniquity, that sink of sin, and that compendium of baseness." (Clarendon, History of the Rebellion, XV. 113.) — Scott puts these words (perhaps unconsciously supplied by memory) into the mouth of Sir Henry Lee, in "Woodstock," Chap. XXV.

[3] Mass. Rec., IV. (ii.) 404, 413.

[4] Ibid., V. 271, 272, 347.

from the questions which were presented by the Baptists, occasioned at the same time a lively contention within the Congregational Church itself. According to the original scheme of that Church, the proper subjects of baptism were such believers, hitherto unbaptized, as desired admission into the church and to the Lord's Supper, and the infant children of church-members in full standing, — that is, of communicants. In the lapse of years, numbers, who had been baptized in infancy, but who were not ready for the tests of admission into the church, had now become heads of families. What was their ecclesiastical position? Were they, through their baptism, in any sense members of the church? If so, were they not entitled to have their children baptized? Or, if not so entitled already, might they not become so, by expressly assuming the engagements which at baptism had been made for them by their parents? These questions naturally led to others. Were not the terms of admission to the Lord's Supper, and to full membership in the church, too strict? Ought a relation of personal religious experience to be rigidly insisted on, as a condition? Had not all baptized persons of regular life a right to be received to the communion-table? Some went even further than this, and asked, whether all members of a congregation, who contributed to its support, had not a right to act in the election of its officers with those members of the church to whom hitherto that prerogative had exclusively belonged.

Questions respecting baptism in the Congregational Church.

The dispute first assumed form and practical importance in the church of Hartford. The Reverend Mr. Stone, whom the reader remembers as the chaplain of Captain Mason's party in the Pequot war,[1] had done some act in relation to baptism or to the communion, which by Governor Webster, the Magistrates Whiting and Cullick, and several other members of his congregation, was re-

[1] See Vol. I. 463.

garded as of latitudinarian tendency. One council after another was convoked, and vainly endeavored to compose the feud. Ministers and messengers came from Massachusetts, but their efforts had no better success. The General Court of Connecticut appointed a committee of four leading men to confer with the ministers of the Colony, and, with their assistance, to prepare such a statement of the matters in debate as should be a basis for consulting the several governments of the Confederacy.[1] It was drawn up and circulated accordingly, being digested in twenty-one questions. The General Court of Massachusetts advised that it should be submitted at Boston to a Synod of divines from the several Colonies, and appointed a delegation of fifteen distinguished ministers.[2] Connecticut accepted the proposal, and nominated on her part four ministers, of whom Mr. Stone was one.[3] Plymouth took no action in the matter. New Haven, attached to the old system, and fearful of the consequences of the present movement, refused to have a part in it, and sent a letter of warning, and a full answer to the questions, both prepared by Mr. Davenport.[4]

Controversy in the church of Hartford. 1654, 1655. 1656. May. Oct. 14. 1657. Feb. 26. Feb. 25.

The Synod met in Boston, and sat two or three weeks Its *Result* was embodied in full answers to the questions which had been proposed.[5] It favored some of the views which had been recently gaining ground. In particular, as to the case of such

Synod of Connecticut and Massachusetts. June 4.

[1] Conn. Rec., I. 281.

[2] Mass. Rec., III. 419, IV. (i.) 280.

[3] Conn. Rec., I. 288 – 291.

[4] N. H. Rec., II. 195 – 198. — In the British Museum, among the Lansdowne manuscripts (Catalogue, p. 184, Nos. 72 – 93), there are twenty-two autograph manuscripts belonging to this controversy. The last of them is a letter from Davenport. I examined the collection, when in London; and since, by the kindness of a friend, have a full abstract of them. But they are not instructive to the reader of the present day, even so far as to afford him information concerning the precise occasion of the original dispute.

[5] It was printed in London in 1659, in a quarto volume, with the title, "A Disputation concerning Church-Members and their Children." See it in Hubbard, 563 – 569.

baptized persons as, without being prepared to come to the Lord's Supper, were of fair character and would own for themselves their baptismal obligations, it decided that they ought to be allowed to present their children for baptism; and that, on the other hand, should they refuse, when called upon, to assume those obligations, they were properly liable to the censure of the church. It would seem naturally to follow, — though that consequence was not admitted, — that baptized adults of good character had a right to vote in the election of church officers, and in Massachusetts to be invested with the political franchise; for it would be unequal that participation in the liabilities of church-membership should be disconnected from participation in its privileges.

The decision of the Synod had no legal efficacy; no such efficacy was given to it by any General Court; and the dispute was imbittered rather than assuaged. The Hartford church, of which a majority adhered to Mr. Stone and approved the decision of the Synod, was proceeding to discipline its refractory members, when the General Court interposed in behalf of those Magistrates who were imperilled, and commanded the church to desist, till measures of conciliation should be further attempted.[1] They continued to be tried, to as little purpose as before. One ecclesiastical council after another was convened, but separated in disappointment and sorrow. Ministers came from Massachusetts, but could bring about no accommodation. The Federal Commissioners deprecated in vain "the sad effects and dreadful consequences of dissensions heightened and increased in a church of such eminence for light and love."[2] Stone stood upon his right, and the right of his church, to regulate their own affairs by their own discretion, and to execute ecclesiastical judg-

1658. March 11

[1] Conn. Rec., I. 312.

[2] Records, &c., in Hazard, II. 366.

ments upon members of their ecclesiastical body without regard to the offenders being the highest Magistrates of Connecticut. He was too strong for his opponents. He died before the conflict was over, but not before his vigor had determined what its issue must be.[1] Mr. Cullick had already removed to Boston, while Governor Webster and others sought a new settlement on the river, forty miles above Hartford. In this enterprise, they associated themselves with a minority of the church of Wethersfield, who entertained similar views. Mr. Russell, the minister of that town, left his congregation in consequence of differences between them on the pending questions, and went with the emigrants to become pastor of the new church.

Death of Mr. Stone. 1663. July 30. 1659.

In Massachusetts, the tendency of opinion on the disputed question had become well ascertained in the progress of the discussion which had taken place. A greater comprehension and liberality were widely desired. At the same time the threatening prospect in England suggested the question, whether something did not need to be done to give the churches a more mature organization, such as should make them capable of co-operating with more energy for the common welfare. The General Court directed the churches within the jurisdiction to meet at Boston, by their ministers and messengers, for the consideration of two questions; namely, "1. Who are the subjects of baptism; 2. Whether, according to the word of God, there ought to be a *Consociation* of churches, and what should be the manner of it."[2]

1661. Dec. 31.

The Synod met accordingly. In respect to the sub-

[1] None of the early ministers of the two western Colonies survived Stone, except Davenport and Warham.

[2] Mass. Rec., IV. (ii.) 38. — Meanwhile "the neighboring elders" were to consider whether other questions should be entertained.

jects of baptism, they pronounced the same opinion as had been expressed by the score of Massachusetts and Connecticut divines five years before; and they gave an ambiguous and faint approbation to the scheme of a Consociation of Churches.[1] Their *Result* was presented to the General Court of Massachusetts, which ordered it to be printed, with a Preface, for "the consideration of all the churches and people;"[2] and here all legislative action on the matter ceased in that Colony. For reasons hereafter to be explained, the present relations of Connecticut towards New Haven, whose views respecting it were opposed to her own, were such as restrained her also from being active in pursuing it. As soon as the force of these reasons abated, her General Court strongly recommended to the churches the more liberal practice as to baptism which the Synod had approved; and even went so far as to invite "the several officers of the respective churches to consider whether it be not the duty of the Court to order the churches to practise according to the premises, if they do not practise without such an order."[3]

Synod of Massachusetts. 1662. September.

Oct. 8.

1664. Oct. 13.

This was as far as the General Court of Connecticut ventured to go; and a majority of the churches still resisted the innovation. In Massachusetts it was re-

[1] For the Result of this Synod, see Mather, Magnalia, Book V. 64–76. Mather says it was adopted by a majority of "more than seven to one," in the Synod. (Ibid., 77.) Strong opposition to it was, however, immediately manifested in high quarters. President Chauncy attacked it in his "Anti-Synodalia Americana," and Mr. Davenport in "Another Essay for Investigation of the Truth." Among the eminent champions of the Result were Richard Mather ("Defence of the Answer and Arguments of the Synod," &c.), Jonathan Mitchell ("Answer to the Apologetical Preface," &c.), and John Allin ("Defence of the Nine Propositions," &c.).

[2] Mass. Rec., IV. (ii.) 60, 62. — The volume (in thirty-two pages quarto, besides the Preface) has the title, "Propositions concerning the Subject of Baptism, and Consociation of Churches, collected and confirmed out of the Word of God," &c.

[3] Conn. Rec., I. 438.

garded with more favor; but there too it had long to defend its ground against a steady opposition. The degree of irritation that prevailed is scarcely to be explained by a consideration of only the ostensible grounds of dispute. "From the fire of the altar," says Mather, "there issued thunderings, and lightnings, and earthquakes."[1]

The truth is, that political regards brought their explosive fuel to the flame. The preparation for this controversy had been long in progress. The primitive ecclesiastical system, whatever might have been its recommendations and deserts, was an exclusive one; and dissatisfaction with it had grown up in a series of quiet and prosperous years. It was before that repose was interrupted, that the wide-spread impatience was well developed, and that an earnest desire arose for the removal of what were felt by numerous persons of repute to be degrading distinctions and disabilities. On the other hand while it may be believed that there were those who more or less were influenced to maintain those distinctions by an unwillingness to weaken, by extension, what gave them personal importance, there can be no doubt that more honorable considerations had their full weight. There were many other persons, who were satisfied that the established practice was required by obedience to Scripture, and by regard to the purity of the Church; and who cared not to look further. And there were others yet, to whom the state seemed not so secure that it could prudently dismiss the pilotage which had steered it safe through such threatening storms, and to whom the tendency of the proposed changes to dissociate the Christian character from the prerogatives of citizenship was an honest and a conclusive objection to allowing them. The restoration of royalty in England must have increased

[1] Magnalia, Book III. 117.

the uneasiness felt by this class of patriots in relation to the proposed ecclesiastical reform; and though the tendency of thought in that direction had, when the King was brought back, become too strong to be resisted, the heat of the controversy was rekindled by the new danger that was thought to be disclosed.

From the period, of which some events are related in this chapter, the severity exercised in New England against sectarian disturbers declines. Massachusetts, on whom, as the most powerful of the Colonies, lay the heaviest responsibility for her own safety and the safety of her allies, had used greater rigor than the rest in the maintenance of order, and in the removal of dissentients. But in thirty-five years she had grown powerful enough, and confident enough, to dismiss or to relax some of the securities which, in her early feebleness, had been thought essential.[1] It may fairly be reckoned to the credit of her people, that they desisted from harsh measures, and were reconciled to the existence of dissent, in some proportion to their becoming well organized and safe,[2] while too often it has been observable in other communities, that the stronger they felt themselves, the less freedom they allowed.

Relaxation of ecclesiastical severities.

[1] "Res dura et regni novitas," &c.

[2] "Since our Jerusalem was come to such a consistence that the going up of every fox would not break down our stone walls, who ever meddled with 'em?" (Mather, Late Memorable Providences, 142. The allusion is to Nehemiah iv. 3.)

CHAPTER XIII.

It was in the midst of such commotions as are described in the last chapter, that the people of the confederated Colonies received the momentous intelligence of the restoration of the monarchy of England.

The Address of the General Court of Massachusetts to the King was favorably received.[1] The strength of the Confederacy of which that Colony was the head was perhaps overrated at court; and it was probably thought prudent to abstain from a quarrel with so important a branch of the Puritan interest, till affairs should be more settled, and better information should be obtained. The King, through Secretary Morrice, informed Endicott, that, since he had resumed his "regal authority," he had "made it his care to settle his lately distracted kingdoms at home, and to extend his thoughts to increase the trade and advantages of his colonies and plantations abroad; amongst which," he said, "as we consider New England to be one of the chiefest, having enjoyed, and grown up in, a long and orderly establishment, so we shall not come behind any of our royal predecessors in a just encouragement and protection of all our loving subjects there, whose application unto us, since our late happy restoration, hath been very acceptable, and shall not want its due remembrance upon all seasonable occasions; neither shall we forget to make you and all our good people in those parts equal partakers of those promises of liberty and moderation to tender consciences, expressed in our

Favorable reception by the King of the Address from Massachusetts. 1661. Feb. 15.

[1] See above, p. 449.

gracious declarations."[1] Such language tended to relieve present anxiety, and to facilitate the reception of another document of a different character, which was perhaps transmitted by the same ship,[2] though it bore a little earlier date. This was an order for the apprehension of the fugitive regicides, Colonel Whalley and Colonel Goffe, whom one Captain Breedon,[3] returning to London, reported that he had seen at Boston in the preceding summer.

Regicides in Boston. Jan. 23.

The friendly welcome, which had in fact been extended there to the distinguished fugitives, cannot be confidently interpreted as an indication of favorable judgment of the act for which their lives were now in danger. No Colony of New England had formally expressed approval of the execution of King Charles the First; nor is there any other evidence of its having been generally regarded there with satisfaction. In New England, as in the parent country, it probably divided the opinions of patriotic men. In New England, remote from the scene of those crimes which had provoked so extreme a retribution, there was probably greater difficulty in admitting the force of the reasons by which the measure was vindicated. And the sympathy of New England would be more likely to be with Vane, than with Cromwell. But the strangers, however one act of theirs might be regarded, had been eminent among those who had fought for

[1] Hutch. Coll., 333.

[2] Hutch. Hist., I. 195.

[3] I wish I knew more of the *antecedents* of this man. I gather from a letter of Thomas Lake to Leverett, (Mass. Hist. Coll., XXVII. 120,) that Breedon was in Boston before September, 1657, and that he was in some relations with Sir Thomas Temple. The prosperity of Boston now invited single commercial adventurers from England, who often came with no intention of permanent residence; and I think that Breedon was one of these. May 5, 1660, he and Hezekiah Usher gave a bond to "Colonel William Crowne" to secure to Crowne the payment by Temple of four years' lease of Crowne's "whole truck and trade with the Indians and natives in all his division and extent of land to him belonging in the country of New Scotland or Lacadie." (Mass. Archives, II. 506 – 508.)

the rights of Englishmen; and they brought introductions from men venerated and beloved by the people among whom a refuge was sought.

Edward Whalley, a younger son of a good family, first cousin of the Protector Oliver, and of John Hampden, distinguished himself at the battle of Naseby as an officer of cavalry, and in the following winter was promoted by Parliament to be Colonel of a regiment.[1] He commanded at the storm of Banbury, at the first capture of Worcester,[2] and elsewhere. He was intrusted with the custody of the King's person at Hampton Court. And he sat in the High Court of Justice at the trial of Charles, and was one of the signers of the death-warrant.[3] After the battle of Dunbar, where he again won renown,[4] he was left by Cromwell in Scotland, in command of four regiments of horse. He was one of the *Major-Generals* among whom the Protector parcelled out the local administration of the realm, and in that capacity governed the counties of Lincoln, Nottingham, Derby, Warwick, and Leicester. He sat as a member for Nottinghamshire in Cromwell's second and third Parliaments, and was called

Edward Whalley.

1646. Jan. 21.

1650. Sept. 3.

[1] The chaplain of Whalley's regiment was no less a person than Richard Baxter. When his old Colonel had reached a higher eminence, the author of "The Saints' Rest" dedicated to him one of his minor works, with the most cordial expressions of reverence and affection. (Baxter, Practical Works, I. 453.)

[2] The officer who held Worcester at this time for the King was Colonel Sir Henry Washington, of the family from which descended the first President of the United States. (See Sparks, Writings of George Washington, I. 545; Irving, Life of Washington, I. 14, 15; Sir Simondson D'Ewes, Autobiography, I. 430; Simpkinson, "The Washingtons," &c., 324. The last-named work, published in England within the present year, contains, along with other highly interesting antiquarian matter, an original and welcome contribution to our knowledge of the ancestry of the great American.)

[3] Dr. Stiles (History of Three of the Judges of King Charles, 99) has preserved the list of the High Court of Justice, which Whalley and Goffe kept by them, and in which they entered *memoranda* of the later fortunes of their associates, as from time to time intelligence reached them. Compare it with the lists in Walker, "History of Independency," II. 58; Rushworth, VII. 1379.

[4] Carlyle, Cromwell, I. 472.

up to "the other House," when that body was constituted.

William Goffe, son of a Puritan clergyman in Sussex, was a member of Parliament, and a colonel of infantry soon after the breaking out of the civil war. He married a daughter of Whalley.[1] Like his father-in-law, he was a member of the High Court of Justice for the King's trial, a signer of the warrant for his execution, a member of the Protector's second and third Parliaments, and, finally, a member of "the other House." He commanded Cromwell's regiment at the battle of Dunbar, and rendered service particularly acceptable to him in the second expurgation of the Long Parliament. As one of the ten *Major-Generals*, he held the government of Hampshire, Berkshire, and Sussex.

William Goffe.

1654. Sept. 12.

In his Declaration at Breda, King Charles the Second had promised that none should be called to account for their share in the late troubles, except such as should be designated by Act of Parliament; and when Whalley and Goffe left England to escape what they apprehended might prove the fate of regicides, the will of Parliament in respect to persons circumstanced as they were had not been promulgated. They came to Boston in the vessel which brought the news of the King's accession. Having been courteously welcomed there by the Governor, they proceeded, the same day, to Cambridge, which place for the present they made their home. For some months they appeared there freely in public. They attended the religious services at the meeting-house, and others held in private dwellings, at which latter they prayed, and *prophesied*, or exhorted. They visited some of the principal towns in the neighborhood; were often in Boston; and were received, wherever they went, with assiduous attention.[2]

The Colonels at Cambridge.

1660. July 27.

[1] She was well connected also on the side of her mother, who was a sister of Sir George Middleton.

[2] In a Memorial of Breedon, preserved in the rich collection in the State Paper Office, he says: "At the

At length, intelligence came to Massachusetts of the Act of Indemnity, and that Whalley and Goffe were among those who were marked for vengeance. Affairs meanwhile had been growing critical between Massachusetts and the mother country; and, though some members of the General Court assured them of protection, others thought it more prudent that they should have a hint to provide for their safety in some way which would not imply an affront to the royal government on the part of the Colony. The Governor called a Court of Assistants, and

1661. Feb. 22. without secrecy asked their advice respecting his obligation to secure the refugees. The Court

arrival of Whalley and Goffe, who came to New England under the names of Richardson and Stephenson, I, knowing them, commanded them before the Governor, and acquainted him they were two of the King's judges, declared traitors and murderers, and therefore advised him to secure them; who answered, without a commission from England none should meddle with them. For my service herein, I was abused by many by calling me 'malignant;' and the Marshal-General of the country, coming to me before several in court time, used these expressions, grinning in my face: 'Speak against Whalley and Goffe, if you dare, if you dare, if you dare.' Afterwards came to my hand the Act of Parliament and the King's Proclamation, which some vilified, and said they were mere malignant pamphlets I had picked up."

In the same collection is an affidavit of John Crowne (see above, 286, note 4) relating to the same subject. It has been printed by Chalmers (Annals, 263). The following is part of it: —

"John Crowne, gentleman, maketh oath that while he was at Boston, in New England, soon after his Majesty's happy restoration, Goffe and Whalley, two of the execrable murderers of his Majesty's royal father, of blessed memory, landed there; and, at their landing, were conducted to the house of John Endicott, then Governor of the Massachusetts Colony, and that it was reported by all the deponent conversed with, that the said Governor embraced them, bade them welcome to New England, and wished more such good men as they would come over; that, after, the said Goffe and Whalley resided some time at Boston, visiting and being visited by the principal persons in the town; and that, among others, they visited Mr. John Norton, the Teacher of the principal Independent church in the said town, and one of those who came over with the Address and Letter of the said Colony to his Majesty; that the deponent then boarded in the house of Mr. Norton, and was present when they visited him, and that he received them with great demonstrations of tenderness; that, after this, the said Goffe and Whalley went and resided in Cambridge, (the University of New England, of which the deponent was a member,) and that, having acquaintance with many of that University, he inquired of them how the said Goffe and Whalley were received; and that

refused to recommend that measure,[1] and four days more passed. At the end of this time, — whether through the persuasion of others, or their own conviction of the impropriety of involving their generous hosts in further embarrassment, — or simply because they had been awaiting the completion of arrangements for their reception at New Haven, — they set off for that place. Feb. 26.

A journey of nine days brought them to the hospitable house of Mr. Davenport, where again they moved freely in the society of ministers and magistrates.[2] But they had scarcely been there three weeks, when tidings came of the reception at Boston of a proclamation issued by the King for their arrest. To release their host from responsibility, they went to Milford (as if on their way to New

The Colonels at New Haven. March 7. March 27.

it was reported to him by all persons that they were in exceeding great esteem for their parts; that they held meetings in their house, where they preached and prayed, and gained universal applause and admiration, and were looked upon as men dropped down from heaven; that this was the phrase of all the deponent heard discourse about them, but that penitence for the horrid murder for which they fled did not appear to be any part of that piety which sainted them in their esteem; for that Whalley said openly, almost in all places where he came, that, if what he had done against the King were to be done, he would do it again; and that it was the general report of the place that he was frequently heard to say these words. . . . . .

"And the deponent doth likewise remember, that, being afterwards in company of several merchants at Boston, and discoursing of Hugh Peters and his execution, some persons did there say that there were many godly in New England that dared not condemn what Hugh Peters had done."

In this deposition (which has no date) Crowne says that he had been "a member" of the University. It does not appear from the Catalogue of graduates that he ever took a degree. Nor is there any other evidence that I know to corroborate this statement, except that in the Steward's account-book, mentioned above (p. 399, note), there is at page 323, the following entry, and no more, namely: —

"Crown is Creditor.
"2. 7mo. [Sept.] 1657. Paid to Thomas Chisholm £002 02 00."

[1] Hutch. Hist., I. 198.

[2] A sister of Whalley was the wife of the Reverend Mr. Hooke, who for twelve years had been associated with Davenport as Teacher of the New-Haven church. — The hiding-place in Davenport's cellar, which sometimes received Whalley and Goffe, is still shown. He was not unused to harboring fugitives. (See Vol. I. 369.)

Netherland), and there showed themselves in public; but returned secretly the same night to New Haven, and were concealed in Davenport's house.

They had been so situated for a month, when their friends had information from Boston that the search for them was to be undertaken in earnest. Further accounts of their having been seen in that place had reached England, and the King had sent a peremptory order to the colonial governments for their apprehension.[1] Endicott, to whom it was transmitted, could do no less than appear to interest himself to execute it; and this he would do with the less reluctance, because, in the circumstances, there was small likelihood that his exertions would be effectual. Two young men recently come from England, Thomas Kellond and Thomas Kirk,[2] received from him a commission to prosecute the search in Massachusetts, with letters of recommendation to the Governors of the other Colonies. That they were zealous royalists would be some evidence to the home government that the quest would be made in good faith. That they were strangers, unacquainted with the roads and with the habits of the country, and betraying themselves by their deportment wherever they should go in New England, would afford comfortable assurance to the Governor that they would make the quest in vain.[3]

Order to Endicott for their apprehension. March 5.

[1] See it in Mass. Hist. Coll., XXVII. 123. In ignorance or in carelessness, it was addressed "To our trusty and well-beloved the present Governor or other Magistrate or Magistrates of our Plantation of New England."

[2] Kellond was a merchant, and Kirk a shipmaster, as appears from a letter of Temple to Secretary Morrice, in Mass. Hist. Coll., XXVIII. 325.

[3] It is perhaps an indication of the prevailing good-will to the fugitives, that some of the Court complained that the Governor had taken too much upon him in issuing the order for their arrest. "Many very honestly minded of the Deputies, and some among the Magistrates, could not consent to own the Governor's acting without the Council in executing the King's Majesty's warrant for apprehending Colonels Whalley and Goffe. Though they own it a duty to be done, yet his acting without the major part of the Council assembled made them loath to own the act at all." (Hull's Diary for

From Boston, the pursuers, setting off in an evening of spring, went to Hartford, where they were informed by Winthrop, that "the Colonels," as they were called, had lately been in that town, but had departed immediately by the road to New Haven.[1] Thither the messengers proceeded, stopping on the way at Guilford, the residence of Deputy-Governor Leete, who, since the recent death of Governor Newman, was Chief Magistrate of the Colony.[2]

May 7.

May 10.

The Deputy-Governor received them in the presence of several other persons. He looked over their papers, and then "began to read them audibly; whereupon we told him," say the messengers, "it was convenient to be more private in such concernments as that was." They desired to be furnished "with horses, &c." for their further journey, "which was prepared with some delays." They were accosted, on coming out, by a person who told them that the Colonels were secreted at Mr. Davenport's, "and that, without all question, Deputy Leete knew as much;" and that, "in the head of a company in the field a-training," it had lately been "openly spoken by them, that, if they had but two hundred friends that would stand by them, they would not care for Old or New England."

Application for their arrest to the Deputy-Governor of New Haven.

The messengers returned to Leete, and made an application for "aid and a power to search and apprehend" the fugitives. "He refused to give any power to apprehend them, nor order any other, and said he could do

June 4, 1661; in Archæol. Amer. III. 202.)

[1] "The honorable Governor [Winthrop] carried himself very nobly to us, and was very diligent to supply us with all manner of conveniences for the prosecution of them, and promised all diligent search should be made after them in that jurisdiction, which was afterwards performed." ("Report made to Governor Endicott by Thomas Kellond and Thomas Kirk," in Hutch. Coll., 334.) But I shall be slow to believe in this alacrity of Winthrop, except on better evidence.

[2] Governor Newman died November 18, 1660.

nothing until he had spoken with one Mr. Gilbert and the rest of his Magistrates." It was now Saturday afternoon; and for a New-England Governor to break the Sabbath by setting off on a journey, or by procuring horses for any other traveller, was impossible. An Indian had been observed to leave Guilford while the parley was going on, and was supposed to have gone on an errand to New Haven.

Monday morning the messengers proceeded thither. "To our certain knowledge," they write, "one John Meigs was sent a horseback before us, and by his speedy and unexpected going so early before day was to give them an information; and the rather because by the delays was used, it was break of day before we got to horse; so he got there before us. Upon our suspicion, we required the Deputy, that the said John Meigs might be examined what his business was, that might occasion his so early going; to which the Deputy answered, that he did not know any such thing, and refused to examine him." Leete was in no haste to make his own journey to the capital. It was for the messengers to judge whether they would use such despatch as to give an alarm there some time before a Magistrate was present, to be invoked for aid. "He arrived," they write, "within two hours, or thereabouts, after us, and came to us, to the Court chamber, where we again acquainted him with the information we had received, and that we had cause to believe they [the fugitives] were concealed in New Haven, and thereupon we required his assistance and aid for their apprehension; to which he answered, that he did not believe they were. Whereupon we desired him to empower us, or order others for it; to which he gave us this answer, that he could not, or would not, make us magistrates. . . . . We set before him the danger of that delay and their inevitable escape, and how much the honor

and service of his Majesty was despised and trampled on by him, and that we supposed, by his unwillingness to assist in the apprehension, he was willing they should escape. After which he left us, and went to several of the Magistrates, and were together five or six hours in consultation; and, upon breaking up of their council, they told us they would not nor could not do anything until they had called a General Court of the freemen."

The messengers labored with great earnestness to shake this determination; but all in vain. For precedents they appealed to the promptness of the Governors of Massachusetts and Connecticut, "who, upon the recite of his Majesty's pleasure and order concerning the said persons, stood not upon such niceties and formalities." They represented "how much the honor and justice of his Majesty was concerned, and how ill his sacred Majesty would resent such horrid and detestable concealments and abettings of such traitors and regicides as they were." "We asked him," they say, "whether he would honor and obey the King or no in this affair, and set before him the danger which by law is incurred by any one that conceals or abets traitors. To which the Deputy Leete answered, 'We honor his Majesty, but we have tender consciences.' To which we replied, that we believed that he knew where they were, and only pretended tenderness of conscience for a refusal. . . . . We told them that for their respect to two traitors they would do themselves injury, and possibly ruin themselves and the whole Colony of New Haven."

"Finding them obstinate and pertinacious in their contempt of his Majesty," the messengers, probably misled by some false information, took the road to New Netherland the next day, in further prosecution of their business. The Dutch Governor promised them that, if the Colonels appeared within his jurisdiction, he would give notice to Endicott, and take measures to prevent their

escape by sea. Thereupon Kellond and Kirk returned by water to Boston, where they made oath before the Magistrates to a report of their proceedings.[1]

The fugitives had received timely notice of their danger. A week before their pursuers left the sea-board, they removed from Mr. Davenport's house to that of William Jones, son-in-law of Governor Eaton, and afterwards Deputy-Governor of New Haven.[2] On the day when the

[1] Their report is in the State-Paper Office, whither it may have been sent by Endicott for his justification. (Comp. Temple's letter to Secretary Morrice, in Mass. Hist. Coll., XXVIII. 325.) Winthrop also went to England this summer on his important errand, of which more is to be said hereafter; and he would naturally like to be preceded there by representations of his alacrity in this business. Comp. Mass. Rec., IV. (ii.) 27.

In the letter of Temple just referred to (dated August 20, 1661) he expresses great solicitude for the apprehension of the Colonels. He says he is persuaded that they are "still in this country," and adds, that "he had joined himself in a secret design" for their capture "with Mr. Pynchon and Captain Lord, two of the most considerable persons living in those parts" where they were supposed to be. Pynchon, son of the Assistant lately gone to England (see above, p. 396) was the principal man of Springfield, and was thus near Hadley, to which town the Colonels soon after came. I do not think it necessary to suppose that Pynchon was much in earnest as to the arrangement of which Temple writes. Temple probably was so; as his own relations with the Court were critical, and he was just going to England to look after his Nova Scotia property. In the following February he was in London, as appears from his being summoned before the Privy Council on the 26th of that month. (Journal, &c.)

[2] Jones came to America about the same time with Whalley and Goffe, probably in the same vessel. (N. H. Rec., II. 451; comp. Mass. Hist. Coll., XXX. 37.) His father had just been executed as a regicide.

Dr. Stiles (History of Three of the Judges, &c., 90) supposes that about this time the fugitives were concealed for some days at Guilford, with the knowledge of Governor Leete. Such is the local tradition, and I have been in that cellar of a warehouse of the Governor which is understood to have been their hiding-place. The story, which I take to be unfounded, has been thought to be confirmed by a notice (May 7, 1662) in the Colony Record (II. 437) of a proceeding with Mr. Rossiter of Guilford respecting "an account of his charges about the Colonels." But the Colony never would have put upon its Record an allowance for protecting the Colonels. Rossiter, though son of the Massachusetts Assistant (see Vol. I. 636), was a prerogative man, and doubtless the charges were for some service in the search for them.

Dr. Stiles, in his book above quoted, has collected various traditions relating to these events. They are not all congruous, or otherwise credible; but they are worth the use of a leisure hour.

long debate was going on with Governor Leete at Guilford,[1] Whalley and Goffe were conducted to a mill, two miles from New Haven to the northwest, where they remained hidden two days and nights. Thence they went to a spot called *Hatchet Harbor*, about three miles further in the same direction, where they lay two nights more. Meantime, for fear of the effect of large rewards, which the messengers had offered for their capture, a more secure hiding-place had been provided for them

Valeant quantum. I have placed no reliance upon them. President Stiles was learned for his time, very inquisitive and diligent, and not a little credulous. On the other hand, the brief narrative of Hutchinson, who wrote with the Diary and other papers of Goffe in his hands, is of the highest authenticity. The Diary was begun on the day of the author's departure from London, and continued to May 4, 1667. With a mass of other papers collected by Governor Hutchinson, it was probably destroyed in the assault upon his house in August, 1765.

[1] There is a tradition that, while this pursuit was hot, Davenport preached to his congregation from words in the sixteenth chapter of the Prophecy of Isaiah (xvi. 3, 4). It is probable that, on the day when Kirk and Kellond were gnashing their teeth in the sabbatical quiet of Guilford, Davenport, having learned from the Indian messenger what had occurred at that place, used these words, but in a little different way. He was at this time preaching a series of sermons, which were soon after published in London, with the title, "Saints' Anchor-Hold." Copies of the volume are in the libraries of Colonel Aspinwall, of the Old South Society in Boston, and of the Connecticut Historical Society. The following is an extract from one of the sermons (p. 194).

"Withhold not countenance, entertainment, and protection from such, if they come to us from other countries, as from France or England or any other place. 'Be not forgetful to entertain strangers; for thereby some have entertained angels unawares. Remember them that are in bonds, as bound with them; and them which suffer adversity, as being yourselves also in the body.' (Heb. xiii. 2, 3.) The Lord required this of Moab, saying, 'Make thy shadow as the night in the midst of the noonday;' — that is, provide safe and comfortable shelter and refreshment for my people in the heat of persecution and opposition raised against them; — 'hide the outcasts, bewray not him that wandereth: let mine outcasts dwell with thee, Moab; be thou a covert to them from the face of the spoiler.' (Isaiah xvi. 3, 4.) Is it objected, But so I may expose myself to be spoiled or troubled? He, therefore, to remove this objection, addeth, 'For the danger is at an end, the spoiler ceaseth; the treaders down are consumed out of the land.' While we are attending to our duty in owning and harboring Christ's witnesses, God will be providing for their and our safety, by destroying those that would destroy his people." (Comp. Bacon, Thirteen Historical Discourses, 127, 128.)

in a sort of cave, on the east side of West Rock, two or three miles nearer to the town. In this retreat they remained four weeks, being supplied with food from a lonely farm-house in the neighborhood, to which also they sometimes repaired in stormy weather. They caused the Deputy-Governor to be informed of their hiding-place;[1] and, on hearing that Mr. Davenport was in danger from a suspicion of harboring them, they left it, and for a week or two showed themselves at different times at New Haven and elsewhere. After two months more of concealment in their retreat on the side of West Rock, they betook themselves to the house of one Tompkins, in or near Milford, where they remained in complete secrecy for two years; after which they indulged themselves in more freedom, and even conducted the devotions of a few neighbors assembled in their chamber.

May 15 – June 11.

The regicides at Milford.

June 24 – Aug. 19.

But the arrival at Boston of Commissioners from the King with extraordinary powers was now expected; and it was likely that these would be charged to institute a new search, which might endanger the fugitives, and would certainly be embarrassing to their protectors. It has been mentioned that a feud in the churches of Hartford and Wethersfield[2] led to an emigration to a spot of fertile meadow land forty miles further up the river; and that Mr. Russell, hitherto minister of Wethersfield, accompanied the settlers as their pastor. Massachusetts gave the new town the name of Hadley,[3] and ordered that, with Springfield and

May 22.

[1] The Deputy-Governor was now Mr. Gilbert, of New Haven, an election having meanwhile taken place, by which Leete was promoted to the Chief Magistracy. (N. H. Rec., II. 402; comp. Hutch. Coll. 338.) This fact Hutchinson appears to have overlooked, when he made the statement in his History (I. 199, note), that the regicides communicated with Leete. I do not know whether it was to throw the pursuers off the scent, that, when the Colonels had just hidden themselves on West Rock, Leete (May 17) issued his warrant for a search for them in Milford. (See it in Mass. Hist. Coll., XXVII. 124.)

[2] See above, p. 490.

[3] Mass. Rec., IV. (ii.) 11.

Northampton, — the latter a plantation established a few years earlier, on the opposite side of the river,[1] — it should constitute the County of Hampshire.[2] In this remotest northwestern frontier of New England, a refuge was prepared for the hunted men. On hearing of the arrival of the Commissioners at Boston, they withdrew to their cave; but some Indians, in hunting, observed that it had been occupied; and its secrecy could no longer be counted on. They then directed their steps towards Hadley, travelling only by night, and were received into the house of Mr. Russell.

1656. May 14. 1662. May 7.

The regicides at Hadley. 1664. Oct. 13.

Here — except for a remarkable momentary appearance of one of them, to be hereafter related, and except for the visits of a few confidential friends — they remained lost for ever to the view of men. Presents were made to them by leading persons among the colonists; and they received remittances from friends in England. They were for a time encouraged by a belief, founded on their interpretations of the Apocalypse, that the execution of their comrades was "the slaying of the witnesses,"[3] and that their own triumph was speedily to follow. Letters passed between Goffe and his wife, purporting to be between a son and a mother, and signed respectively with the names of Walter and Frances Goldsmith. Four of these letters survive;[4] tender, magnanimous, and devout, they are scarcely to be read without tears. In the tenth year of his life at Hadley, Whalley was extremely infirm in mind and body, and he probably did not live beyond that year. Goffe outlived his father-in-law nearly five years, at least;[5] how much longer is not known. Mr. Russell's

Death of Whalley. 1674.

[1] Mass. Rec., IV. (i.) 271.

[2] Ibid., (ii.) 52; comp. Holland, History of Western Massachusetts, I. 59, 60; Huntington, Centennial Address.

[3] Apoc. xi. 37.

[4] Hutch., Coll., 433; History, I. 457; Stiles, History of Three of the Judges, &c., I. 114. Mass. Hist. Coll., XXI. 60.

[5] "The last account of Goffe is from a letter dated *Ebenezer* (the name they

house was standing till near the end of the last century. At its demolition, the removal of a slab in the cellar discovered human remains of a large size. They are believed to have belonged to the stout frame which swept through Prince Rupert's line at Naseby.

1795.

In the first years of the retirement of the Colonels at Hadley, they enjoyed the society of a former friend, who did not feel obliged to use the same strict precautions against discovery. John Dixwell, a Colonel in the Parliamentary service, was also a member of the High Court of Justice, and a signer of the death-warrant of the King. Little is known of his proceedings after the Restoration, till he came to Hadley, three or four months later than Whalley and Goffe.[1] After a residence of some years in their neighborhood, he removed to New Haven, where, bearing the name of James Davids, and affecting no particular privacy, he lived to old age. The home government never traced him to America; and though, among his acquaintance, it was understood that he had a secret

John Dixwell.

1665. Feb. 10.

gave their several places of abode), April 2, 1679." (Hutchinson, I. 200, note.)

Four years ago, Dr. Hough published at Albany, from the original in the State Office of New York, a paper entitled, "Plan for seizing and carrying to New York Colonel William Goffe, the Regicide, as set forth in the Affidavit of John London, April 20, 1678." London swore "that Joseph Bull, senior, ... of Hartford, had for several years past (and, for aught he knew, still) kept privately Colonel Goffe at his own house there, or his sons, he going by the name of Mr. Cooke;" and that he (London) had laid a plan to seize Goffe and carry him to New York, to Sir Edmund Andros, but that his plan was divulged by a confederate to two magistrates, who had obstructed it, and had subsequently treated him ill in revenge for his loyalty. London's word was of little worth (see Conn. Rec., II. 396); but I do not see that there may not have been a foundation for what he told in this instance. See, however, Proceedings of the Mass. Hist. Society, I. 60 – 63.

[1] Ludlow says (Memoirs, 377) that Dixwell went first from England to Germany, where "he was received into protection at Hanau, and made a burgess of the town." Dixwell joined his friends, February 10, 1665. In only one instance (the first in which he is mentioned) Goffe's Diary gave Dixwell his true name; afterwards it always called him "Mr. Davids." (Hutchinson, I. 200, note.)

to keep, there was no disposition to penetrate it. He married twice at New Haven, and by his second nuptials established a family, one branch of which survives. In testamentary documents, as well as in communications, while he lived, to his minister and others, he frankly made known his character and history. He died just too early to hear the tidings, which would have renewed his strength like the eagle's, of the downfall of the House of Stuart. A fit monument attracts the traveller to the place of his burial, in the park bounded on one side by the halls of Yale College.[1] 1689. March 18.

The King's favorable Answer to the Address of the General Court of Massachusetts[2] indicated sentiments on his part which it was prudent to make the most of; and, with the same vessel which brought it, or a little earlier, came intelligence of Venner's insurrection in London,[3] which appears to have suggested the hint of a cheap display of loyalty. Venner's movement, as has been mentioned, was for the establishment of an authority, approved by a considerable class among the mystics of that day, and called by them the *Fifth Monarchy*, from a passage in the Book of Daniel.[4] It contemplated the subversion of existing forms of government, and the substitution in their place of a polity of which Christ was to be the chief administrator, assisted by his saints in subordinate offices. Manifestations of a tendency to this scheme had not been entirely wanting in New England. The adoption, to a considerable Suppression of Eliot's political treatise.

[1] The inscription on the head-stone, which is ancient, is as follows: "I. D., Esqr., deceased March ye 18th, in ye 82d year of his age, 1688[9]." Mary Dixwell, the only descendant of John then living, married, in 1774, Samuel Hunt, master of the Boston Latin-Grammar School. By an Act of the General Court, their son, Samuel, took the name of Dixwell, now honorably borne by his children. President Stiles devotes some pages (History, &c., 339 *et seq.*) to a recluse, called by the name of Theophilus Whale, who lived on the west shore of Narragansett Bay, and was supposed to be either Whalley or another regicide. But I attach no importance to the story.

[2] See above, p. 494.

[3] See above, p. 434.

[4] Dan. vii. 3 – 27.

extent, of the Mosaic system of law, might be regarded as a step in that direction. Cotton had expressed his vague idea of an eligible code and administration in the text appended to his "Abstract of Laws," — "The Lord is our Judge, the Lord is our Lawgiver, the Lord is our King, He will save us;"[1] though Cotton would have been prompt to disavow any such precise inference from his motto as would have confounded him with Fifth-Monarchists. William Aspinwall, the follower of Mrs. Hutchinson, had subsequently made himself known in England as a leader and champion of those dreamers.[2]

The Apostle Eliot, when, following the model exhibited in Exodus, he had laid out the plan of a government for his Indians, to be conducted by captains of tens, of fifties, of hundreds, and of thousands,[3] had acquired a taste for constitution-making on a larger scale; and the fruit of his meditations on the high theme was, "after his consent given," published in London, soon after Cromwell's death, by "a Sower of the Season."[4] The book bears the title of "The Christian Commonwealth, or the Civil Policy of the Rising Kingdom of Jesus Christ." It is dedicated "To the Chosen and Holy and Faithful, who manage the Wars of the Lord against Antichrist in Great Britain, and to all the Saints, Faithful Brethren, and Christian People of the Commonwealth of England." It explains and defends "the Platform of the Lord's Government," as being "approved by God, instituted by Moses among the Sons of Israel, and profitable to be received by any nation or people, who reverence the command of God, and tremble at his word." "I am bold," says the writer, "to present this Scripture plat-

1659.

[1] Abstract of the Laws, &c., 15.

[2] "A Brief Description of the Fifth Monarchy, or Kingdom that shortly is to come into the World, the Monarch, Subjects, Officers, and Laws thereof, and the Surpassing Glory, Amplitude, Unity, and Peace of that Kingdom, &c. By William Aspinwall, N. E. London, 1653."

[3] See above, p. 337.

[4] It was, however, written seven or eight years earlier. (Mass. Rec., IV. (ii.) 6.)

form of government to public view, if advice so carry it, at this season, because I do believe it to be a divine institution of a civil government, and seemeth to me to be such as will well suit the present condition of England, Scotland, and Ireland, or any other religious people in the world, ... the time being come that the Lord is about to shake all the earth, and throw down that great idol of human wisdom in governments, and set up Scripture government in the room thereof."[1]

Eliot's abilities and good deserts were in the department of the Christian ministry, and not in that of statesmanship. There is no evidence, and little likelihood, that this book received any attention; but, the more obscure it was, the more acceptable at court would be the vigilance of that colonial government, which, by detecting and censuring it, purged itself from any sympathy with the vagaries of Venner. The Magistrates, "taking notice" of it, found it "full of seditious principles and notions in regard to all established governments in the Christian world, especially against the government established in their native country;" but they deferred proceedings in relation to it to the next General Court.[2] It is natural to suppose that Eliot took no special pride in his performance, viewed in the light of altered circumstances, and after the experience of "nine or ten years;" and, with every disposition to be steadfast to his convictions, whatever they were, it was impossible for him to forget that the life of the Corporation for Propagating the Gospel among the Indians was at this moment dependent on the royal indulgence. He made a written acknowledgment of the ill tendency of the treatise. "Upon perusal thereof," he said, "I do judge myself to have offended; and in way of satisfaction, not only to the authority of this jurisdiction, but also

1661. March 18.

May 24.

[1] Christian Commonwealth, &c., Præf., 3, 35.

[2] Hutchinson, History, I. 195.

unto any others that shall take notice thereof, I do hereby acknowledge to this honored Court, such expressions as do too manifestly scandalize the government of England by King, Lords, and Commons as Antichristian, and justify the late innovators, I do sincerely bear testimony against; and acknowledge it to be, not only a lawful, but an eminent form of government." The Court ordered that the acknowledgment should be recorded, that the book should be "totally suppressed," and that all copies of it within the jurisdiction should be "cancelled and defaced," or delivered to a magistrate.[1]

It has been mentioned that the Navigation Act of the Commonwealth had been permitted to remain inoperative in respect to New England.[2] The General Court of Massachusetts reasonably apprehended difficulty from the execution of the more rigorous law passed in the year of the restoration of the King.[3] It was probably not without a view to guard against attacks which it might draw upon them from the commercial interest in England,

[1] Mass. Rec. IV. (ii.) 5, 6. — It was impossible for Eliot not to feel how particularly important it was, at this time, to what had become the great object of his life, that he should not be under a cloud at court. His translation of the New Testament, which was to be dedicated to the King (see above, p. 446, note 1), and to be commended to the favor of some of the statesmen and divines about him, was almost ready for publication. And in the Dedication prefixed to it, the translation of the Old Testament, which appeared in 1663, is said to be already in the printer's hands. So large an expense as was thus incurred could not be met without liberal patronage in England.

To the Indian Bible, when completed, were appended a Catechism, and a version in the same language of the metrical paraphrase of the Book of Psalms. To the translations of each of the two great divisions of the Scriptures was prefixed a Dedication to the King. But the Dedications were attached to scarcely any copies, if to any, but those which were intended to be sent to England. The Dedications were presented in the name, not of the translator, but of "The Commissioners of the United Colonies in New England." They are reprinted in the Collections of the Massachusetts Historical Society (VII. 222).

The number of copies published of Eliot's Bible is not known. It is the opinion of Dr. Francis, (Life of John Eliot, &c., in Sparks's American Biography, V. 221,) that the first edition of the New Testament consisted of fifteen hundred copies. Two hundred were immediately put into strong binding for the use of the Indians.

[2] See above, p. 393.

[3] See above, pp. 444, 445.

that they repealed certain laws which had hitherto made their harbors free to "all ships which came for trading only from other parts," and authorized the Governor for the time being, by himself and such officer as he should appoint, "to take effectual course that bonds be taken of all shipmasters coming hither, as that Act [the Navigation Act] required, and returns made, as was there required, to his Majesty's customs, before they had liberty to depart, that so this country might not be under the least neglect of their duty to his Majesty's just commands." Any departure from the provisions of their charter was likely, in the new circumstances, to attract unfriendly attention in England; and they thought it prudent to enact, "that the law limiting the nomination of but fourteen Assistants be henceforth repealed, and that the freemen be at liberty to choose eighteen Assistants, as the patent hath ordained." [1] In practice, however, no alteration was made.

Aug. 7.

The same Court appointed a day of public thanksgiving for "the many favors wherewith," as the vote expresses it, "the Lord hath been pleased to compass us about for so many years past in this remote wilderness, and in special the gracious answer that he hath given us to our late supplication and humbling of ourselves before Him, in giving us favor in the eyes and heart of our sovereign lord the King, expressed in his gracious acceptance and answer of our late Address to his Majesty." The following vote, constituting the last entry in the Journal of the session, indicates the result of deliberations which must have been anxiously held from its beginning to its close: —

Precautions against encroachment from England.

"Forasmuch as the present condition of our affairs in highest concernments calls for a diligent and speedy use of the best means seriously to discuss, and rightly to understand, our liberty and duty, thereby to beget unity

[1] Mass. Rec., IV. (ii.) 31, 32; comp. 35.

amongst ourselves in the due observance of obedience and fidelity unto the authority of England and our own just privileges; — for the effecting whereof it is ordered by this Court, that Mr. Simon Bradstreet, Mr. Samuel Symonds, Major-General Denison, Mr. Danforth, Major William Hawthorne, Captain Thomas Savage, Captain Edward Johnson, Captain Eliazer Lusher, Mr. Mather, Mr. Norton, Mr. Cobbet, and Mr. Mitchell be, and hereby are, appointed a committee, immediately after the dissolution or adjournment of the Court, to meet together in Boston on second day next, at twelve of the clock, to consider and debate such matter or thing of public concernment touching our patent, laws, privileges, and duty to his Majesty, as they in their wisdom shall judge most expedient, and draw up the result of their apprehensions, and present the same to the next session for consideration and approbation, that so (if the will of God be) we may speak and act the same thing, becoming prudent, honest, conscientious, and faithful men."[1]

The four persons first named on this Committee were Magistrates; the next four were respectively Deputies from Salem, Boston, Woburn, and Dedham; the last four were the ministers of Dorchester, Boston, Ipswich, and Cambridge. At a special session of the General Court, held after an interval of only a few days, the Committee made a report, which was "allowed and approved." It was signed for them by Thomas Danforth, who was probably its author, and who from this time occupied for thirty years a large space in the public view.[2] The document is too important to admit

June 10.

[1] Mass. Rec., IV. (ii.) 24.

[2] Thomas Danforth, born at Framlingham, in Suffolk, in 1622, came, with his father, Nicholas, to New England, in 1634, when the family settled in Cambridge. He became a freeman in 1643 (Mass. Rec., II. 293); was a Deputy in the General Court for that town in 1657 and 1658 (Ibid., IV. (i.) 287, 321); and in the following year (Ibid., 364) was chosen an Assistant, in which office he continued for twenty years, till promoted to be Deputy-Governor. In the charter of 1650, he was named Treasurer of Harvard College, which office he held eighteen years.

of its being incorporated into this narrative in only a description or an abridgment. We learn from it what was the approved theory respecting the relations of the local government to the empire; and it indicates that, if the public courage had been shaken at any time, its tone had been restored by the recent consultations.

"I. Concerning our Liberties.

"1. We conceive the patent (under God) to be the first and main foundation of our civil polity here, by a Governor and Company, according as is therein expressed.

"2. The Governor and Company are, by the patent, a body politic, in fact and name.

"3. Th body politic is vested with power to make freemen.

"4. These freemen have power to choose annually a Governor, Deputy-Governor, Assistants, and their select representatives or Deputies.

"5. This government hath also to set up all sorts of officers, as well superior as inferior, and point out their power and places.

"6. The Governor, Deputy-Governor, Assistants, and select representatives or Deputies, have full power and authority, both legislative and executive, for the government of all the people here, whether inhabitants or strangers, both concerning ecclesiastics and in civils, without appeal, excepting law or laws repugnant to the laws of England.

"7. The government is privileged by all fitting means (yea, and, if need be, by force of arms) to defend themselves, both by land and sea, against all such person or persons as shall at any time attempt or enterprise the destruction, invasion, detriment, or annoyance of this plantation, or the inhabitants therein; besides other privileges mentioned in the patent, not here expressed.

"8. We conceive any imposition, prejudicial to the country, contrary to any just law of ours not repug-

nant to the laws of England, to be an infringement of our right.

"II. Concerning our Duties of Allegiance to our Sovereign Lord the King.

"1. We ought to uphold, and to our power maintain, this place, as of right belonging to our sovereign lord the King, as holden of his Majesty's manor of East Greenwich, and not to subject the same to any foreign prince or potentate whatsoever.

"2. We ought to endeavor the preservation of his Majesty's royal person, realms, and dominions, and, so far as lieth in us, to discover and prevent all plots and conspiracies against the same.

"3. We ought to seek the peace and prosperity of our King and nation, by a faithful discharge in the governing of this people committed to our care: —

"(1.) By punishing all such crimes (being breaches of the first or second Table) as are committed against the peace of our sovereign lord the King, his royal crown and dignity.

"(2.) In propagating the Gospel, defending and upholding the true Christian or Protestant religion according to the faith given by our Lord Christ in his word; our dread sovereign being styled 'Defender of the Faith.'

"The premises considered, it may well stand with the loyalty and obedience of such subjects as are thus privileged by their rightful sovereign (for himself, his heirs, and successors forever), as cause shall require, to plead with their Prince against all such as shall at any time endeavor the violation of their privileges.

"We further judge that the warrant and letter from the King's Majesty, for the apprehending of Colonel Whalley and Colonel Goffe, ought to be diligently and faithfully executed by the authority of this country.

"And also, that the General Court may do safely to declare that, in case (for the future) any, legally obnoxious,

and flying from the civil justice of the state of England, shall come over to these parts, they may not here expect shelter."[1]

The establishment of the Royal Council of Foreign Plantations must before this time have been known. Intelligence of the appointment of the Committee for the Settlement of New England must have arrived soon after.[2] The exposition which had been made of the nature of the allegiance acknowledged by Massachusetts to the King qualified the reluctance with which the measure of formally proclaiming him was approached; and at length, by a later Court, fifteen months after his accession, it was ordered that he should be proclaimed in Boston, in the following form, which, after careful consultation, was selected from among several that were proposed.

Proclamation of the King. 1661. Aug. 7.

"Forasmuch as Charles the Second is undoubted King of Great Britain, France, and Ireland, and all other his Majesty's territories and dominions thereunto belonging, and hath been sometimes since lawfully proclaimed and crowned accordingly, we therefore do, as in duty we

[1] Mass. Rec., IV. (ii.) 25, 26. The extradition stipulated in the last two clauses was nothing more than was proper to be conceded by an independent power to any friendly sovereign.

A memorial presented to the Court at this session, and preserved in the Massachusetts Archives (CVI. 36), is an index of the agitation and divisions in the public mind. It is signed by thirty-six persons, of whom the Rev. Mr. Wilson, Joshua Scottow, Hezekiah Usher, and John Hull are the only ones of special importance. "What supposed gain," say the petitioners, "may be in any plea for independency for government in New England, we cannot in any measure foresee; the damage is obvious." They pray that "by some worthy person or persons" an Address may be sent to the King expressing gratitude for his late "gracious answer;" "that all endeavors possible may yet be exerted to answer his royal warrant" for the arrest of the Colonels; and that the Court will consider "whether they may not with safety, and ought not in duty, to proclaim his royal Majesty." But the Court was in no such haste.

[2] See above, p. 444. — The Council of Foreign Plantations held their first meeting on the 10th of December, 1660. At a meeting, March 4th, 1661, they took up the business of New England. At a meeting, April 1st, they directed that orders should be sent thither to proclaim the King. (Papers in the State-Paper Office.)

are bound, own and acknowledge him to be our sovereign Lord and King, and do therefore hereby proclaim and declare his said Majesty Charles the Second to be lawful King of Great Britain, France, and Ireland, and all other the territories and dominions thereunto belonging."[1]

Precautions were taken against expressions of excessive enthusiasm on this occasion, should any be disposed to manifest it. Inasmuch as, at this "kind of solemnities, divers wicked and profane persons are ready to take occasion to dishonor God, break the laws, and abuse themselves by excessive drinking, debauchery, and profaneness," the Court ordered a strict forbearance from such proceedings, "and, in particular, that no person presume to drink his Majesty's health, which he hath in special forbid."[2] The royal prohibition, here referred to, was constructive; it was expressed only in colonial law. The Court prepared a second "script, gratulatory and lowly," to be sent to the King. It thanked him for his gracious acceptance of their former application. "Mephibosheth," it declared, "how prejudicially soever misrepresented, yet rejoiceth that the King is come in peace to his own house." "Diabolical Venner (not to say whence he came to us) went out from us, because he was not of us. God preserve your Majesty from all emissaries agitated by an infernal spirit, under what appellations soever disguised. Luther sometimes wrote to the Senate of Mulhoysen to beware of the wolf Muncer." And it concluded with praying that the Lord would "make the throne of King Charles the Second both greater and better than the

[1] Mass. Rec., IV. (ii.) 30, 31. — Chalmers (Annals, 253) ungraciously, but perhaps not unjustly, suggests, that this language was designedly such that the people of the jurisdiction might consider the whole as an election, recent and provincial. — Hull, in his Diary (Archæol. Amer., III. 203), briefly describes the ceremonial, which took place the next day after the order, — a promptness which allowed little time for preparations to make it magnificent or festive.

[2] Mass. Rec., IV. (ii.) 31.

throne of King David." [1] But the expediency of this second Address was reconsidered, and it appears not to have been sent.

The complaints of the Quakers had reached the royal ear. Edward Burrough obtained an audience, and presented their case. The careless King, who did not like the annoyance of refusing a request, unless the granting of it would interfere with his ease or his pleasures, allowed a letter to be written to Endicott and the other Governors and officers of the New-England Colonies, directing "that, if there were any of those people called Quakers amongst them, now already condemned to suffer death, or other corporal punishment, or that were imprisoned, and obnoxious to the like condemnation, they were to forbear to proceed any further therein," and should send such persons to England for trial. At Burrough's request, the *mandamus*, as it has been inaccurately called, was given in charge to Samuel Shattuck, a Quaker of Salem, then in England under a sentence of banishment, with the usual condition of being capitally punished if he should return. As soon as arrangements could with all haste be made, Shattuck sailed for Boston in a vessel provided by some of his fellow-sectaries, and commanded by one of them.

Message from the King respecting the Quakers. Sept. 9.

On their arrival, the messenger and the shipmaster presented themselves at the Governor's door, and sent him word that "their business was from the King of England, and that they would deliver their message to none but the Governor himself. Thereupon they were admitted to go in; and the Governor came to them, and commanded Shattuck's hat to be taken off; and, having received the deputation and the *mandamus*, he laid off his hat; and, ordering Shattuck's hat to be given him again, he looked upon the papers, and then,

November.

[1] Mass. Rec., IV. (ii.) 32, 33; Hutch. Coll., 341, 348. All proceedings of the kind must have been unpalatable in a high degree.

going out, went to the Deputy-Governor, and bid the King's deputy and the master of the ship follow him; and, having consulted with him about the matter, he returned to the two aforesaid persons, and said, 'We shall obey his Majesty's command.'"[1] The command, however, produced little effect. The resolution to abstain from further capital punishments had been taken some months before, though the Magistrates perhaps were not indisposed to appeal to the King's injunction rather than avow a change of judgment on their own part. The General Court, not because a royal mandate to them was coercive, but "that they might not in the least offend his Majesty," saw fit to "order and declare that the execution of the laws in force against Quakers, as such, so far as they respected corporal punishment or death, should be suspended until the Court took further order." The Court did take further order within a year, and laws respecting the corporal punishment of Quakers were revived.[2] And no Quaker prisoners were sent to England for trial. It would have been a violation of one of the most cherished local maxims.

Nov. 27.

1662. Oct. 8.

A question started at this time as to "the Court's sending a meet person or persons with an Address to his Majesty,"[3] divided the opinion of the rulers, and was "referred to the next Court." A special session was called

[1] Sewel, 272–274; comp. Bishop, 344–346.

[2] Mass. Rec., IV. (ii.) 34, 59.

[3] Hutchinson says (Hist., I. 201) that this proposal was in consequence of "orders being received from the King that persons should be sent over to make answer." Chalmers (Annals, 253) makes the same statement, and refers to Hutchinson, and to "New-England Entries." I have never seen these "orders," nor do I get any light upon them from Chalmers's original memoranda from the documents in the English offices, of which memoranda (composing two folio volumes in manuscript, and extending from 1633 to 1765) I have the use, by the kindness of my friend, Mr. Sparks. When the Court voted to send, they said that it was because of "duly considering the weight of their occasions in England." (Mass. Rec., IV. (ii.) 37.) I am not sure that Hutchinson was not thinking of a later order of the King to send agents. See below, pp. 624, 625.

the next month, and it was resolved to send Mr. Bradstreet and Mr. Norton. Further conference having somewhat developed the critical character of the measure contemplated, the Court determined to intrust to a Committee the arrangements for the mission, including the preparation of instructions for the messengers, "that so," say they, "the means used for our safety may not be improved against us for our ruin." The Committee consisted of the Governor and Deputy-Governor, the Magistrates Gookin and Danforth, and Captain Lusher, Captain Johnson, and Mr. Joseph Hill, Deputies respectively for Dedham, Woburn, and Malden. Some men of influence were desired to collect money to defray the expenses; and a letter was despatched "to the Church of Christ in Boston, to stir up their willing minds to part with the Reverend Mr. John Norton, their Teacher, to further the service and occasions of the country."[1]

Mission of Bradstreet and Norton to England. 1661. Dec. 31.

The majority of the Committee took up the business with zealous promptness. Within five weeks they met ten times "at the Anchor tavern in Boston."[2] The Governor and the Deputy-Governor were so averse to the measure, that they refused to be present at the meetings, though invited with urgent repetition.[3] As many as four members always attended;

1662. Jan. 4 – Feb. 7.

[1] Mass. Rec., IV. (ii.) 40.

[2] In the Massachusetts Archives (CVI. 49, 50), under the date of February 7, 1662, is a letter from the General Court to Colonel Crowne, bespeaking his good offices in London. In the previous July, by Crowne, who then returned from a visit to England, Lord Say and Sele had written to them: "You have had several appeared against you, and have been examined against you, as Captain Breedon and others; ..... and I must say for Mr. Crowne, he hath appeared both here in the Council, and to the Lord Chamberlain and others, as really and cordially for you as any could do, and hath allayed the ill opinion of your cruelty against the Quakers." (Hutch., I. 202.)

[3] Their aversion, no doubt, arose from jealousy lest the rights of Massachusetts should be compromised by the agents, or lest some advantage should be extorted from them. But, this being so, it is not obvious how Endicott and Bellingham became opposed to Danforth, who was specially

and Danforth, Johnson, and Hill were not once absent. Arrangements were made for procuring money, besides credit to the amount of seven hundred pounds, to defray the expense of the expedition; and the persons having this part of the business in charge were instructed to "be secret, as far as they possibly might, especially respecting the quantity of money procured." The Secretary was directed to transcribe for the use of the messengers a mass of documents, relating to the course of transactions from the beginning of the settlement.

Bradstreet and Norton were extremely unwilling to undertake the service. It involved a heavy responsibility in respect to the public interests at stake. Failure in the negotiation which was to take place was highly probable, and would naturally bring odium upon the agents, however faithful they might be. Nor were more immediate discouragements wanting. The agents might be detained in England as hostages for the obedient conduct of their constituents. If the complaints against the Colony should be favorably regarded, both of them might be brought into personal peril; for Bradstreet, as an Assistant from the first, had been a party to every transaction, and Norton, above most men, had been forward in the proceedings against the Quakers. If the result should be a disturbance of the local government, they might be without effectual resource for an indemnity for any losses they might incur.

At the third meeting of the Committee, the agents formally inquired whether it would be prudent to make so large claims in England as the

Jan. 18.

active in expediting the mission, and who, from first to last of his eminent public career, was behind no man in the boldness of his advocacy of popular rights. Endicott and Bellingham, probably, had their anxieties about Norton, who had distinguished himself by pleading for an early accommodation with the King, and about Bradstreet, who was constitutionally slow, if not timid. Danforth, though as high-toned as either the Governor or Deputy-Governor, was more of a calculating politician, and may have thought that Norton and Bradstreet were just the men to make most favor at court.

General Court had proposed; whether the Committee had authority to change the terms of the Address which had been adopted; whether the Committee would engage to guaranty the agents against any loss sustained by them in the public service; and whether the disapprobation expressed by the Governor and the Deputy-Governor as to the whole proceeding was not a sufficient reason for delay and reconsideration. To the last question the Committee gave a negative reply. They agreed, for the General Court, to the desired pledge of indemnity. And they expressed the opinion that, instead of the Address recently voted, the agents "were at liberty to present the other petition agreed in the former session, in case they should judge it more conducing to attain the preservation of the country's just liberties and privileges, than the latter."

The necessary funds were with no little difficulty obtained;[1] the agents received their commission and a letter of instructions, both unwillingly signed by the Governor in the name of the General Court; letters commending their suit to the patronage of Lord Clarendon, Lord Manchester, Lord Say and Sele, and other distinguished persons, were placed in their hands; and a vessel, all ready to sail, was detained for their conveyance. Still they hesitated, and again approached the Committee with a representation of "such inconveniences and hazards" as made it "seem less consisting with Christian prudence to proceed at this time." The Committee, with a courteously concealed impatience, invited them to suggest any expedients for the removal of their difficulties, and were still cherishing the hope that some expedient might

Jan. 23, 24.

Jan. 29.

[1] Mr. Usher advanced £ 100; Hull, the mint-master, and Mr. John Paine, £ 50 each; and others, sums varying from £ 10 to £ 30. The names of most of the contributors are new, and indicate to me that the measure was not generally agreeable to the class which had hitherto taken the lead.

be devised, when "the Lord was pleased to visit the Reverend Mr. Norton with a violent fit of sickness and much cold." After a few days' further detention of the ship, they gave up the expectation of Mr. Norton's being able soon to embark, ordered her discharge, and landed the provisions which had been put on board. At the same time they prepared letters to go by her to several of their friends, soliciting their friendly intervention at court in behalf of the imperilled Colony, and explaining the pains which had been taken to provide for a representation of their case by fully accredited messengers. Affairs were in this unpromising state when "on the second day, early in the morning, the Lord so encouraged and strengthened the heart of the Reverend Mr. Norton, that he expressed himself willing and resolved to go that day." With all haste the arrangements were renewed, and the anxious messengers departed.[1]

Feb. 2.

Feb. 7.

Feb. 11.

It occasions surprise to observe that a moment so critical in the affairs of the Colony should have been chosen for the repetition of an act suitable to give high offence in England. Yet so it was, that, after the agents had sailed, and before any tidings of them could have been received, the General Court passed an

[1] John Hull went and returned with them. (Archæol. Amer., III. 153, 205.) In the original journal of the Committee, printed by Hutchinson (Hutch. Coll., 345–374), is preserved a minute account of these transactions. The material part of the instructions to the agents was as follows:—

"You are to attend the particulars following:

"1. You shall present us to his Majesty as his loyal and obedient subjects, and not be wanting to instance in the particulars which most and best render us so to be.

"2. You shall endeavor to take off all scandal and objections which are or shall be made against us.

"3. You shall endeavor the establishment of the rights and privileges we now enjoy.

"4. You shall not engage us by any act of yours to anything which may be prejudicial to our present standing, according to patent.

"5. You shall give us a speedy and constant account of all your transactions, and what else may be of concernment to us."

order for the issuing of a new coin. The mint-master was "enjoined, out of the first bullion that came to his hands, to coin two-penny pieces of silver, in proportion according to the just value and alloy of other moneys allowed here, to answer the occasions of the country for exchange."[1] The coin thus authorized continued to be struck for a long time, like that of ten years before; and, as in the former case, all the pieces were stamped with the date of the year when the first of them were issued. New coinage. May 7.

In the judgment of the Court, it had "pleased the Lord, after many years of fatherly tenderness, ... to change his way, turning healthiness into sickliness, and sweet union to much disunion," so that they found "their spirits many ways exercised as to events, and unsettled as to truths of great consequence;" and they proclaimed

[1] Mass. Rec., IV. (ii.) 51, 52; see above, p. 405. — There is a story that Charles the Second complained to Sir Thomas Temple of the presumption of the Massachusetts people in coining money; that Sir Thomas showed him a piece of it, and explained that the tree on one side represented the *Royal Oak*, which after Worcester fight hid the Majesty of England; and that the reconciled and gratified King exclaimed, "Ah, yes! jolly dogs! jolly dogs!" (Comp. Memoirs of Thomas Hollis, I. 397.) The story derives some confirmation from a document of the year 1684, in the Massachusetts Archives (CVI. 336), in which it is said: "In 1662, when our first agents were in England, some of our money was showed by Sir Thomas Temple at the Council table, and no dislike of it manifested by any of those Right Honorable persons." (See below, p. 575, note.)

Though the tree on the coins bears no special resemblance to a pine, and that on some of them, like the prototype in the original record of the order, no resemblance at all, yet it is highly probable that there was a certain mental association between the rude form and the tree which made such a figure in the New-England landscape, and which was adopted into the original seal of Massachusetts.

In the last year of the Protector Oliver, he made Temple "Governor of Acadie and Nova Scotia," with a boundary touching "St. George's and Muscongus, on the confines of New England, on the west." (Mass. Rec., IV. (i.) 355.) The sudden change of affairs, which gave him a motive for hunting regicides, (see above, p. 504, note 1,) sent him also to recommend himself personally in England. He was there, I suppose, but a few months; and when he came back, he had been "constituted and appointed Governor of Acadie and Nova Scotia, by letter patents and commission, granted him by his most excellent Majesty." (Mass. Rec., IV. (ii.) 74.)

a Fast-day, of which one object was defined to be, to implore Divine "assistance with the agents abroad."[1]

Meanwhile reports came to Boston that the agents had been imprisoned, and that Norton was in the Tower. But nothing of the kind took place. Their reception was favorable far beyond their hopes. At London, indeed, they were confronted by George Fox, by "John Copeland, whose ear was cut off at Boston," and by other Quakers. Fox told them, that, "if the father of William Robinson were in town, it was probable he would question them, and bring their lives into jeopardy; for he, not being of the Quakers' persuasion, would perhaps not have so much regard to the point of forbearance as they had." Upon this, says the Quaker historian, "Bradstreet, seeing himself in danger, began to flinch and to skulk," and, "not thinking it safe to stay in England, left the city, and, with his companions, went back again to New England."[2]

They did not, however, return from fear of the Quakers, who had little power to annoy them; but because their business was done. Lord Say and Sele wrote that he had "not been wanting both to the King and Council" in advancing their suit. The influence of others of the Puritan friends of Massachusetts was still considerable; and Lord Clarendon was not disposed to quarrel with her till he should understand better her position and her resources, and should see a more trustworthy settlement of affairs at home.[3] The agents returned, bringing a gracious answer from the King. He told the men of Massachusetts that their Address to him had been "very acceptable;" that he "received

Return of Bradstreet and Norton. Sept. 3.

[1] Mass. Rec., IV. (ii.) 45.

[2] Sewel, 279, 280.

[3] Some of the statements which reached the minister from enemies of Massachusetts were suitable to make him cautious, as well as to make him jealous. "If they fortify Piscataqua River for themselves, as they have subjugated it, and now arm against the Dutch New Netherland, with their United Colonies they may be the invincible states in America." (Henry Gardener, New England's Vindication, 7.)

them into his gracious protection," "confirmed the patent and charter heretofore granted to them," and was "ready to renew the same," if so desired; and that he "pardoned all his subjects of that plantation for all crimes and offences committed against him during the late troubles, except any such persons who stood attainted of high treason, if any such persons had transported themselves into those parts." Letter from the King. June 28.

But the missive had other contents, of a different description. The King declared his "expectation" that henceforward the oath of allegiance should be taken by the Colonists; that the administration of justice should be in his name; and that "all laws and ordinances ..... contrary or derogative to his authority and government" should be "annulled and repealed." "We do hereby charge and require you," he wrote, "that they that desire to use the Book of Common Prayer, and perform their devotion in the manner that is established here, be not denied the exercise thereof, or undergo any prejudice or disadvantage thereby, they using their liberty peaceably without any disturbance to others; and that all persons of good and honest lives and conversations be admitted to the sacrament of the Lord's Supper, according to the said Book of Common Prayer, and their children to baptism." And he "commanded all persons concerned, that, in the election of the Governor or Assistants, there should be only consideration of the wisdom and integrity of the persons to be chosen, and not of any faction with reference to their opinion or profession; and that all the freeholders of competent estates, not vicious in conversations, orthodox in religion, (though of different persuasions concerning church-government,) might have their vote in the election of all officers, civil or military." The letter was to "be communicated and published at the next General Court."[1]

[1] Hutch. Coll., 377 – 380; comp. Mass. Hist. Coll., XVIII. 47. In conjunction with the rule respecting toleration, the King writes: "We cannot

It was published accordingly, to the exceeding displeasure of many of the hearers. "There were many who would not stick to say that Mr. Norton had laid the foundation of ruin to all our liberties." Bradstreet, besides being of a more phlegmatic temper, was less an object of odium, as being by no means of equal reputation for ability. But the general condemnation was more than Norton — hitherto always riding the topmost wave of popular favor — could endure. It cannot be inferred that a man of character is not distressed by estrangement and obloquy, because he will not allow them to change his course. Norton was not of a buoyant constitution. He drooped under the displeasure of his neighbors. He thought he had lost all his friends. He withdrew to solitude, and there brooded and pined. "It was commonly judged, that the smothered griefs of his mind, upon the unkind resentments which he thought many people had of his faithful and sincere endeavors to serve them, did more than a little hasten his end."[1] He lived but seven or eight months after his return. After attending public worship on a Sunday, he fell in a fit, and died at evening.[2] The fatal disease was believed to have been a bleeding heart. The Quakers set it down for a Divine judgment.[3]

Death of John Norton. 1663. April 5.

The Court, annoyed by the royal demands, but distrustful and divided as to the degree of resistance which the circumstances would justify, resorted to that temporizing policy which in other times had served the Colony so well. For the present they made no further compliance with the royal requisition than to direct that it should be published, and to order "that henceforth all writs, process,

Proceedings of the Court in relation to the King's demands. 1662. Oct. 8.

be understood hereby to direct or wish that any indulgence should be granted to those persons commonly called Quakers, whose principles being inconsistent with any kind of government, we have found it necessary, with the advice of our Parliament here, to make a sharp law against them, and are well content you do the like there."

[1] Mather, Magnalia, III. 38.

[2] Hull, in Archæol. Amer., III. 207.

[3] Sewel, 333.

with indictments, should, by all magistrates, the Secretary, clerk of the several courts and writs, be made and sent forth in his Majesty's name; — i. e. 'You are hereby required, in his Majesty's name,' &c., — any usage or custom to the contrary notwithstanding." As to the rest, "forasmuch as the said letter had influence upon the churches as well as the civil state," they "ordered that all manner of actings in relation thereunto should be suspended until the next General Court, that so all persons concerned might have time and opportunity to consider of what was necessary to be done in order to his Majesty's pleasure therein." Then, putting a good face upon affairs, and sincerely inclined to own occasions for gratitude, as well as to keep their associates in good heart, they appointed a day of public thanksgiving for "the safe and speedy return of the public messengers sent for England, together with the continuance of the mercies of peace, liberties, and the Gospel." But it became the freemen to be thoughtful and vigilant, as well as thankful; and, at the same time, a day of fasting and humiliation was appointed to be kept a month later, "on account of the afflictive and low estate of the cause and people of God universally, with the prevailing power of Antichrist over the reformed churches beyond the seas, together with some public rebukes of God among ourselves." The Court could not be doubtful as to the interpretation which, in the third year of King Charles the Second, the Fast-day sermons would give to the phrases, "public rebuke," the "low estate of the cause and people of God," and the "prevailing power of Antichrist."

Other measures of the session indicate the temper which prevailed. The law for scourging "vagabond Quakers," which had been suspended in compliance with the royal will, was re-enacted, with some trifling qualifications.[1] "For prevention of irregularities and abuse

[1] Mass. Rec., IV. (ii.) 58 – 60.

to the authorities of this country by the printing-press," a censorship was for the first time established; and the trust was committed to the Magistrate, Gookin, and to Jonathan Mitchell, minister of Cambridge.[1] Captain Breedon, who, it seems, had returned from England, was charged with some "insolences and contempt against the Court in the face of the country, tending to mutiny and sedition, and subversion of the government here established by his Majesty's letters patent," and was sentenced "to give two hundred pounds' bond, with sufficient sureties for his good behavior, and also that he pay a fine to the country of two hundred pounds, and that he stand committed till he perform this judgment."[2]

No other General Court was held before the next time for annual elections. The least that could then be expected was some further consideration of the royal mandate. Such consideration was had, so far as to provide an answer, should any complaint of inattention come from England. It resulted in nothing more than an ineffective provision "for the regulating of the taking of bonds of shipmasters" in order to a compliance with the Navigation Act, and the raising of a Committee after "long and serious debate of what was necessary to be done in reference to his Majesty's letter." The Committee, consisting of three Magistrates, four ministers, and five Deputies, besides Leverett, the Speaker, were charged "to draw up what they should judge meet, ... and to present the same at the next

1663. May 27.

[1] Mass. Rec., IV. (ii.) 62. The censorship of the press was only a provisional measure. It was abolished at the next Court. (Ibid., 73.) — A similar order had been made by the Deputies several years before; but it was then rejected by the Magistrates. (Mass. Archives, LVIII. 11.) It has no date. But as Shepard was to be a censor with the Governor and Denison, it must have been as early as 1649, the year of Shepard's death.

[2] Mass. Rec., IV. (ii.) 69. — In the next year, however, the fine was remitted "upon the request of Sir Thomas Temple, seconded by Mr. John Winthrop, Governor of Connecticut." (Ibid., 75.)

session of Court"; and it was declared to "be in the liberty of any of the reverend Elders, or other of the freemen, or other the inhabitants, to send in their apprehensions relating thereunto, with such arguments as were prevalent to their own understandings, in writing unto the committees, or any of them, to be communicated unto the whole Committee at their meetings for that service; so that, after serious consideration and conferences had, something might be deduced and agreed upon, if it were the will of God, that might be satisfactory and safe, as best conducing to His glory and this people's felicity." Orders were made for putting the militia in more efficient condition. A constable and a selectman of Woburn were presented for having refused to "publish the King's Majesty's letter," and "spoken of said letter to be Popery, &c." But the Court did not find sufficient evidence for their conviction.[1]

[1] Mass. Rec., IV. (ii.) 72 – 74, 82; comp. 87.

CHAPTER XIV.

The course of proceedings in Massachusetts, immediately consequent upon the reinstitution of the British monarchy, has been related. When nearly a year had elapsed after that event was known in New England, the government of Plymouth Colony passed a vote, that, being "certainly informed that it had pleased God to establish their Sovereign Lord, King Charles the Second, in the enjoyment of his undoubted right to the crowns of England, Scotland, France, and Ireland," and that he had been "so declared and owned by his good subjects of those kingdoms," they, on their part, did "declare and own their free and ready concurrence, ... and to his said Majesty, his heirs and successors, did most humbly and faithfully submit and oblige themselves for ever."[1]

Acknowledgment of the King by Plymouth.

1661. June 5.

[1] Brigham, Charter, &c., 134. Brigham copies from the Plymouth book of "Laws." In the "Court Orders" nothing appears respecting this transaction, except an order (June 10) to the Colony Treasurer to "repay a barrel of powder to the town of Plymouth, to make good that which was spent at the Proclamation and at other times." (Plym. Rec., III. 219.)

The internal politics of Plymouth had been more disturbed than those of any other Colony by the irruption of the Quakers. Scituate, at this time the richest town of the Colony (Plym. Rec., III. 150), was a favorite resort of the intruders, on account of its being upon the border of Massachusetts. Its three principal citizens were Hatherly, Cudworth, and the ex-President of Harvard College, Dunster. In 1668, James Cudworth had been thirty-four years a freeman of the Colony (Plym. Rec., I. 32), six years Captain of the Scituate trainband (Ibid., III. 14), and two years an Assistant (Ibid., 99); and had served in the high office of Federal Commissioner. (Ibid., 115; comp. 77, 115.) In March of that year the General Court "received a petition from sundry persons of the town of Scituate, both of the military company and others, therein expressing sundry grievances relating to some late carriages" of his, "in reference to entertaining of such persons as are commonly called Quakers, to meet in his house, and

New Haven took no action upon the matter till quickened by a letter from Rawson, the Secretary of Massachusetts, in which Governor Leete was informed of facts making a longer delay inexpedient. Lev- July 4.

other with them." The Court found the charge proved, and cashiered him as Captain (Plym. Rec., III. 130); and, the next spring, as has been mentioned above (page 484, note 2), he was dropped by the electors from the roll of Assistants, while his neighbor, Timothy Hatherly, a staff of the Colony from very early times (See Vol. I. p. 230), though chosen, was not admitted by the Magistrates to take the oath, having incurred displeasure on the same account. (Plym. Rec., III. 134.) The next year Cudworth's townsmen elected him to be their Deputy; but he "was not approved by the Court" (Ibid. 162), and consequently was not admitted to a seat. "Divers of the town" petitioned for his restoration to his military rank; but the Court denied their request, at the same time expressing the hope that they "would not account it any disrespect unto themselves." (Ibid., 167, 168; comp. IV. 126.) The Court obtained a copy of a letter, which contained expressions of "great disaffection to the government, and manifest abetting and encouragement of those called Quakers," and which they "strongly conjectured and suspected to be by him sent into England;" and they took a heavy bond of him to appear three months after, and answer for that offence. (Ibid. 183.) He appeared accordingly, and "being found a manifest opposer of the laws and of the government," was "sentenced, according to the law, to be disfranchised of his freedom of the corporation" (Ibid. 189; comp. 198, 199); a sentence which remained in force for no less than thirteen years. (Ibid., V. 124.) The letter (which see in Bishop, 168–176; comp. Deane, "History of Scituate," pp. 245–248) was written by Cudworth to James Brown, formerly his fellow-Assistant, and at that time in England. In respect to ability and to temper it commands the reader's high respect.

In this letter, Cudworth says: "Through mercy, we have yet among us the worthy Mr. Dunster, whom the Lord hath made boldly to bear testimony against the spirit of persecution." It has been said (Baylies, Historical Memoir, &c., II. 50) that Dunster's "dislike and hatred of the Quakers was unrelenting and vindictive;" but Cudworth's testimony is express, and it is impossible that he should have been in error. Nathaniel Morton (Memorial, 283) says nothing more of Dunster's opposition to the Quakers than that he "was useful in helping to oppose their abominable opinions, and in defending the truth against them;" — a statement which is perfectly consistent with Cudworth's.

After Dunster had been driven from Cambridge (see above, 398) and was established at Scituate as minister of the congregation which Chauncy, his successor in the College, had left, he received (July 10, 1656) a letter from Ireland, informing him that some persons there, who entertained his opinions, and felt for his misfortune, had "made their request to the truly virtuous Lord Deputy [Henry Cromwell] to provide for him in that land," and that the Lord Deputy had "readily embraced the same, and ordered fifty pound for the bringing over himself and family." (Mass. Hist. Col., XXXII.

erett, the agent of Massachusetts at the British court, had written that "his Majesty's Committee . . . . . took notice from inquiry, that it was only from one Colony, namely Massachusetts," that any Address had been received.[1] "The Governor convened the Gen-

April 12.

196.) Dunster however ended his life at Scituate, Feb. 27, 1659. "He died in such harmony of affection with the good men who had been the authors of his removal from Cambridge, that he, by his will, ordered his body to be carried unto Cambridge for its burial, and bequeathed legacies to those very persons." (Mather, Magnalia, Book III. p. 100.)

His grave, in the old "God's Acre" near the halls of Harvard College, was opened July 1, 1846, when the President and Fellows renewed the tablet over it. The remains were found lying, six feet below the surface, in a brick vault which was covered with irregularly-shaped flag-stones of slate about three inches thick. The coarse cotton or linen shroud which enveloped them had apparently been saturated with some substance, probably resinous, which prevented it from closely fitting the body. Between it and the remains of the coffin was found a large quantity of common tansy, in seed, a portion of which had evidently been pulled up by the roots. The skeleton appeared to be that of a person of middle size; but it was not measured, as the extremities of the bones of the arms and thighs had perished, as well as portions of the cancellated structure of these and of some other bones. The configuration of the skull, which was in good preservation, was such as to the phrenologists indicates qualities, both moral and intellectual, of a superior order. The hair, which appeared to have retained its proper place, was long behind, covering thickly the whole head, and coming down upon the forehead. This, as well as the beard, which upon the upper lip and chin was about half an inch long, was of a light brown color. The eyebrows were thick, and nearly met each other.

A work, by which Dunster long held a place in the frequent remembrance of men, was an improved edition of the "Bay Psalm-Book," (see above, p. 41,) prepared by him with the assistance of Mr. Richard Lyon, who came from England to reside at Cambridge as private tutor to the son of Sir Henry Mildmay. (See Preface to Prince's edition of the book, in 1758.) When it had been in use half a century, Cotton Mather (who himself tried his hand at sacred verse) had "never yet seen a translation nearer to the Hebrew original," though he wished that the poetry were mended. (Magnalia, III. 100.)—In the library of the American Antiquarian Society, bound with a Bible printed in 12mo, at Cambridge in England, in 1648, is a copy of Dunster's improved version of the Psalms, in new nonpareil type, and bearing the imprint "Cambridge, printed for Hezekiah Usher of Boston," without a date. And Mr. George Livermore has a copy of Dunster's Psalm-Book, also printed at Cambridge for Usher, and without a date, in the same type, but of a different edition, and bound with a Bible of the year 1682. No other book is known to have been printed in this country in nonpareil type earlier than the last quarter of the eighteenth century. (Thomas, History of Printing, &c., I. 258.)

[1] Hutch. Coll., 338.

eral Court, and informed them of the occasion of calling them together at this time; and, among the rest, the main thing insisted on was to consider what application to make to the King in the case they now stood, being like to be rendered worse to the King than the other Colonies." "The Court, taking the matter into serious consideration," sent to Massachusetts a vindication of themselves from the imputation of "any mind to slight or disown his Majesty's authority," and desired that they might be considered as "owning and complying with" the Address presented before by Massachusetts, "as if it had been done and said by their very selves," and that they might be allowed "to join in the proportionate share of charge for a common agent to solicit New England's affairs in England." As to more formal and definitive action, they preferred not to be precipitate, and accordingly adjourned for three weeks.[1] When they came together again, the Governor recommended that they should proclaim the King, and "further said, he looked that they had done more already, and that this was only a formality." "Being debated and considered, it was voted and concluded as an act of the General Court that it should be done. And, for the time of doing it, it was concluded to be done the next morning at nine of the clock; and the military company was desired to come to the solemnizing of it. And the form of the proclamation is as followeth: —

Acknowledgment of the King by New Haven. Aug. 1.

Aug. 21.

"Although we have not received any form of proclamation by order from his Majesty or Council of State, for the proclaiming his Majesty in this Colony, yet the Court, taking encouragement from what hath been in the rest of the United Colonies, hath thought fit to declare publicly and proclaim that we do acknowledge his royal Highness, Charles the Second, King of Eng-

[1] N. H. Rec., II. 418–422.

land, Scotland, France, and Ireland, to be our Sovereign Lord and King, and that we do acknowledge ourselves, the inhabitants of this Colony, to be his Majesty's loyal and faithful subjects. God save the King."[1]

1660. Oct. 4. Connecticut had been less tardy. The first General Court of the Colony, assembled after the arrival of tidings of the Restoration, does not appear to have taken any action in respect to it.[2] But, in the following spring, the Court came to a vote "to make a speedy Address to his Sacred Majesty, ... to acknowledge their loyalty and allegiance to his Highness, thereby declaring and professing themselves, all the inhabitants of this Colony, to be his Highness's loyal and faithful subjects;" and to "humbly petition his Majesty for grace and favor, and for the continuance and confirmation of such privileges and liberties as were necessary for the comfortable and peaceable settlement of the Colony." And the sum of five hundred pounds was appropriated "to be improved in pursuance of the Address."[3]

Acknowledgment of the King by Connecticut. 1661. March 14.

At the next session, a draft of an Address, prepared by Winthrop,[4] was referred for revisal to a committee consisting of five Magistrates and four ministers; and Winthrop was appointed to present it, and "to agitate and transact the affairs of the Colony in reference thereto, or respecting the patent." Subsequently he received authority "to draw up and present any further petition in behalf of the Colony to his Majesty, as might be found necessary," and to use his own discretion "respecting any letters that might be found necessary to be directed to any other nobles or gentlemen who might

May 16.

Mission of Connecticut to England. June 7.

[1] N. H. Rec., II. 423.

[2] Conn. Rec., I. 353–358.

[3] Ibid., 361, 362.

[4] In May, 1660, the rule forbidding the immediate re-election of a Governor (Vol. I. 536) was repealed, that Winthrop might be continued in that station. (Conn. Rec., 346, 347.)

be stirred up to be helpful in promoting the Address, petition, or patent."[1] He was instructed to engage the favor and assistance of the former patentees of Connecticut and their representatives; and "to use all means to procure a copy of the patent" granted by the Earl of Warwick to Lord Say and Sele and his associates, no copy having been known to exist in Connecticut since the time when questions arose concerning it during the dispute with Massachusetts.[2] If a copy could be found, Winthrop was to solicit a confirmation of its grants from the King. At all events, he was to endeavor to obtain a royal charter with "liberties and privileges not inferior or short to what is granted to the Massachusetts," and covering a territory extending "eastward to Plymouth line, northward to the limits of the Massachusetts Colony, and westward to the Bay of Delloway [Delaware], if it might be." A list of names of patentees was recommended for insertion in the charter; and some matters of minor arrangement received attention.[3]

In the Address to the King, — beginning and ending with expressions of affectionate loyalty, which, like those previously employed by Massachusetts, seem too emphatic to be sincere, — the Court excused their slowness on the ground of their separation, "by a lone tract of a dismal wilderness, from the other English Americans of the parts of the ordinary recourse of shipping." They "humbly craved pardon" for having proclaimed the King before the reception of "a form and express order for the same," — a step which had been deferred till the approach of winter, in "the expectation of the royal command therein." Reciting the circumstances of the origin and progress of the Colony, they declared that they had chosen "rather to sit solitary,

[1] Conn. Rec., I. 367 – 369.

[2] See above, p. 245; comp. 237.

[3] For these instructions, see Conn. Rec., I. 579. The list of patentees which was first prepared contained some names of clergymen; but these were afterwards struck out.

and wait only upon the Divine Providence for protection, than to apply themselves to any of those many changes of powers, their hearts as well as their stations still remaining free from illegal engagements and entire to his Majesty's interests." And, "animated and encouraged by the beams of his sovereignty," they "implored that he would be pleased to accept this Colony, his own Colony, a little branch of his mighty empire."[1] The Petition, which is in a less subservient strain, relates to a charter, and to an immunity from customs, the latter in consideration of the heavy expenses incurred "in prosecution of this wilderness work."[2] The letters to Lord Say and Sele, one of the two or three original patentees who still survived, and to Lord Manchester, entreated those noblemen to afford to Winthrop their advice and help in the prosecution of his business. According to both letters, Fenwick had threatened, at the time of the bargain with him, that, if the planters on the Connecticut did not come to his terms, he would "either impose customs on the river, or make sale thereof to the Dutch, their noxious neighbors." To the Puritan Earl of Manchester they could venture to suggest a topic not suitable for influence with the King; that "the Honorable Committee of Lords and Commons did own this a distinct Colony."[3]

In two or three months after his appointment to be agent in England, Winthrop set sail from New Amster-

[1] Conn. Rec., I. 582.

[2] The Petition is in Trumbull, I. 511.

[3] Ibid., 513; Conn. Rec., I. 584. The way had just been prepared for the arrangement which was now sought, by an adjustment of the long-standing account with George Fenwick. Fourteen years had passed since the sale made by him to the Colony, and no discharge had been given on his part. Fenwick died in 1657; and by his will, his sister, who had married Captain Cullick, of Hartford, inherited all his American property, except five hundred pounds given "to the public use of that country of New England." (Conn. Rec., I. 575.) Some questions arose; and a negotiation with Cullick for a settlement, begun in 1658 (Ibid., 318) and continued through two years (Ibid., 325–329; comp. 573), ended in a compromise for a mutual "discharge and acquittance," on the payment by him of five hundred pounds to the Colony.

dam[1] for that country, whence he had been absent during the whole of the last eighteen eventful years. He was a man to make and keep friends; and, both from his old friends and from others, he had a flattering reception. From good-will to him, as well as to the community which he represented, the aged Lord Say and Sele, with whose business in America he had been formerly intrusted,[2] embraced his cause with a cordial interest.[3] Winthrop's mind was inquisitive in a variety of ways, and he had made some attainments in physical science. A similarity of tastes introduced him to the useful acquaintance of men enjoying favor with a prince whose only claim to grateful remembrance consists in his having founded the Royal Society. That Society was forming just at the time of Winthrop's arrival in England, with Robert Boyle for its President, with whom, as President of the Society for the Propagation of the Gospel, he had already had official relations.[4]

John Winthrop, jr. in England. August.

The result of his negotiation was, that, at the end of a

[1] N. H. Rec., I. 457, note.

[2] See above, Vol. I. p. 450.

[3] See his Lordship's letter in Trumbull, I. 515.

[4] It has been inferred from some language in Mortimer's Dedication of the fortieth volume of the Royal Society's Transactions, that Winthrop was one of the original associates. But such was not the fact. See a list of them in the Charter (which passed the seals, July 15, 1663) in Weld's excellent History of the Royal Society, II. 484, 497. Sir Kenelm Digby, who was active in its formation, was afterwards a copious correspondent of Winthrop; and some of his letters which are preserved (Mass. Hist. Coll., XXX. 5, 15) go to confirm Evelyn's opinion (Memoirs, &c., I. 257): "The truth is, Sir Kenelm was an errant mountebank." However, he was a benefactor to our College, in its day of small things.

In the Royal Society's Archives are eleven manuscript letters of John Winthrop the younger. One, written in London, July 27, 1662, and addressed to Robert Boyle, gives a description of maize, and of its use by Indians and English. He says the latter made malt and beer with it. This letter is published in the Society's Transactions (II. 633). Of the rest, one was written in Salem; the others in Hartford or Boston; and all between August 18, 1668, and September 25, 1673. Seven are addressed to Mr. Oldenburg, two to Sir Robert Moray, and one to Lord Brereton. In more than one of these letters, Winthrop speaks very favorably of Colonel Nicolls, of whom hereafter.

few months, he had obtained for his Colony a royal charter conveying the most extraordinary privileges. Nineteen patentees,[1] with such associates as they should from time to time elect, were constituted a corporation under the name of "The Governor and Company of the English Colony of Connecticut in New England in America." The territory granted to them was "bounded on the east by the Narrogancett River, commonly called Narrogancett Bay where the said river falleth into the sea; and on the north, by the line of the Massachusetts plantations; and on the south, by the sea; and, in longitude, as the line of the Massachusetts Colony runneth from east to west, that is to say, from the said Narrogancett Bay on the east, to the South Sea [the Pacific Ocean] on the west part, with the islands thereunto adjoining." Thus it embraced the whole of New-Haven Colony; part of the lands claimed respectively by the planters of Providence and Rhode Island, and by the Dutch; and that territory east of Pequot River to which Massachusetts had asserted a title. The Colonial government was vested in a Governor, Deputy-Governor, twelve Assistants, and a House of Deputies, to be constituted of two members from each town or city. These officers were to be elected annually by the freemen of the Colony; and the legislature was to hold semi-

Colonial charter. 1662. May 10.

[1] The patentees were mostly the persons named in a list which accompanied Winthrop's instructions. The names of William Phelps, Robert Warner, Robert Royce, Philip Groves, and John Burr, inserted in that list, were left out from the patent; and those of John Tapping, Richard Lord, Henry Wolcott, John Ogden, Thomas Wells, and Obadiah Bruen were added. The names presented in the Instructions were those of the Magistrates (except the Magistrates from Long Island, omitted, perhaps, with reference to the claim of the Earl of Stirling), and of one out of each pair of Deputies by which the towns were severally represented in the General Court when the Address was adopted. Tapping and Ogden, who were made patentees, were of Southampton (Long Island). Phelps, one of the persons omitted from the patent, though named in the Instructions, was left out of the magistracy in the first election under the patent, and was succeeded by Henry Wolcott, who had also been substituted for him as a patentee.

annual meetings. The charter contained no reservation as to any of the powers appurtenant to a political community strictly independent, except that the local legislature could make no laws "contrary to the laws and statutes of the realm of England;" — a provision which had little practical significance, inasmuch as no obligation was imposed as to annulling laws objectionable in this respect, or transmitting laws to England for examination. It was not even enjoined that the oaths of Allegiance and Supremacy should be taken in the Colony, though two Assistants were to be empowered to administer them.[1]

Winthrop was backed by powerful friends. He possessed singular qualifications for the business with which he was charged; and he applied himself to it with zealous diligence. With the pliancy which made part of his graceful character, he overcame the disgust that must have possessed him in approaching those whose savage revenge had just brought sorrow into his own home,[2] and, remembering only that he was the Governor and the envoy of Connecticut, solicited personal good-will in every quarter where it might serve her interests.[3] These facts,

[1] The Charter is in Hazard, II. 597.

[2] In some letters of Roger Williams to Winthrop, Hugh Peter is called the "father" of the latter, — probably because Winthrop married the stepdaughter of Peter. (Savage's Winthrop, I., v., vi.) See above, p. 428.

[3] Mather had been told (Magnalia, Book II. Chap. XI. § 5) that he secured the royal favor by means of a ring given to his grandfather by King Charles the First. But better evidence is necessary to make it probable that the parent who reared the first Governor of Massachusetts was ever on such terms with the second English Stuart. — Another story has gained credit, that John Winthrop the younger, or his brother Stephen, was the person to whom a letter was addressed (April 6 or 8, 1660) by the hand of Charles the Second, just before his restoration, thanking him for "many good offices" in promoting that event. The letter, which has been transmitted in the family of Winthrop, is without a direction; and its history is lost. I think there can be little doubt, that it came into their possession merely as a curious autograph, having been addressed to some one of the numerous partisans and agents of the exiled prince in England. Stephen Winthrop, who, in the Protector's time, had commanded a regiment, and served in Parliament, had died a year before the date of this

however, afford but an insufficient explanation of the extraordinary result of his endeavors. We are still left to inquire how it could be that a wary and arbitrary minister, who, in the new zeal of office, was gathering into his master's hands all power that could be seized, was brought to make a formal grant of what almost amounted to colonial independence.

It must have been obvious to Lord Clarendon, that, in the prosecution of his schemes of encroachment upon New England, the Confederacy was the power by which he was to be embarrassed. It followed, that to disturb the arrangements of that league, and sow dissension among its members, was a method altogether to his purpose. Massachusetts was by far the most powerful of the confederated Colonies, and was likely to be found the most refractory. A ready way to disable her was to raise up a rival power, and provide occasions of jealousy between them; and, to effect this, the natural course was to enlarge Connecticut, between which Colony and Massachusetts there had hitherto been differences, and to accomplish that enlargement by methods which Massachusetts would have to disapprove. Thus favored on the one hand, and obstructed on the other, Connecticut would be likely to be secured to the royal interest. The incor-

letter; and John Winthrop (not to refer to other reasons putting him out of the question) was then beyond the sea, in Connecticut. (See Savage's Winthrop, I. 126.)

In Thurloe's State Papers (I. 763; comp. Mass. Hist. Coll., XXI. 185) is a letter of John Maidston, which awakens the reader's curiosity. It was written in London, in March, 1660, to Winthrop, then in Connecticut. It covers in print five large folio pages, and gives an account of the movements of the popular party in England, from the time of the first session of the Long Parliament to the beginning of the year of the Restoration. It refers to a letter or message from Winthrop; and its tenor is such as to suggest the possibility that Winthrop had had some misgivings about the correctness of the past course of the patriot party, or, at least, had felt himself not to be sufficiently possessed of their case to be a confident champion of it, and had applied to his friend (whose letter shows him to have been a man of superior sense and knowledge) for the benefit of his information and judgment.

poration of New Haven into that Colony, by which the requisite enlargement would be obtained, would be attended with other results satisfactory to the watchful minister. By the union, New Haven, which, like Massachusetts, attached the civil franchise to church-membership, would be deprived of that defence against the encroachments of prelacy. New Haven had given grievous displeasure at court by sheltering the regicides. The disappointment, the humiliation,— the disadvantages and losses, whatever they might be,— of being struck out of existence as a separate community, might well seem to such eyes a fitting punishment.

Whether it was that Winthrop easily consented, or that Lord Clarendon absolutely insisted, the charter offered no choice to New Haven respecting the termination of its political life. Winthrop represented Connecticut, and was zealous for its interests. Having begun his public career as the agent of its patentees, he may still have regarded the New-Haven people as a sort of trespassers upon their land.[1] And, at a time when Connecticut and New Haven were at issue respecting the exclusive policy which connected the franchise with church-membership,[2]

[1] Connecticut now claimed to be, by virtue of the arrangement with Fenwick, the proprietor of the lands which had been conveyed by patent to Lord Brooke, Lord Say and Sele, and their associates; and it was a portion of those lands that the New-Haven people had occupied. The year before Winthrop went to England, a measure adopted by the town of New Haven to extend its border to the east, gave occasion to Connecticut to revive her claim with some formality. The Secretary of the latter Colony wrote to the New-Haven Magistrates, expressing the dissatisfaction of his government, and proceeding so far as to say: "We conceive you cannot be ignorant of our real and true right to those parts of the country where you are seated, both by conquest, purchase, and possession; and that, though hitherto we have been silent, and altogether forborne to make any absolute challenge to our own, as before, yet now we see a necessity at least to revive the memorial of our right and interest," &c. The General Court of New Haven raised a committee (May 29, 1661) "for the treating with, and issuing of, any seeming difference betwixt Connecticut Colony and this;" and here, so far as I know, the business slept, till it presented itself in a new form after the arrival of the charter. See N. H. Rec., II. 409, 410.

[2] See above, p. 491.

he may naturally have desired to diminish, in the Confederacy, that influence of which New Haven, even more than Massachusetts, was the devoted champion. But he was now Chief Magistrate of one of the Colonies united in a Confederacy, which in its very existence implied the independence of New Haven, and in its articles of agreement recognized and guarantied that independence. He had no authority to act for New Haven in anything, — least of all to stipulate for its extinction as a body politic. When he was about to embark, in reply to the expression, by "a friend" (Mr. Davenport), of fears of "so unrighteous an act, as so far to extend the line that the Colony of New Haven should be involved within it," he gave and reiterated the assurance, "that no such thing was intended, but rather the contrary;" and that, in case the old patent, of which the royal confirmation was to be sought, should be found to include New Haven, yet that "Colony should be at liberty to join or not."[1] He renewed these assurances when the charter had passed the seals, and appealed to the General Court to respect his pledge.[2] But he must have known, throughout the transaction, that, the charter once executed, his personal control over it would cease, and that in all probability, much esteemed as he was, his remonstrances would be to extremely little purpose. The signed and sealed parchment was not his. It went at once into the hands of men, who, however they would have respected their own scruples, did not feel bound to respect the scruples of another person, and did feel bound to advance the greatness of Connecticut.

It may have been some misgiving, on the agent's part, as to the position in which he was about to be placed,

[1] "New Haven's Case Stated," Art. 10 (N. H. Rec., II. 521; comp. 467, note). — Yet, in the answer to this paper (Ibid., 533, 536), it is said that Leete desired a union when Winthrop went to England, and acquainted him with that wish.

[2] Ibid., 523.

that occasioned delay in the transmission of this important paper. After nearly four months, during which time, in both Colonies, the elections had been made, and the government had proceeded as usual, the arrival of the charter was first publicly made known at the annual meeting of the Federal Commissioners,[1] which this year was held at Boston. The Commissioners for New Haven, who appeared in their place, and acted throughout the session, may have been taken by surprise. They left this certificate on the margin of the Journal: "We cannot as yet say that the procurement of this patent will be acceptable to us or our Colony."[2]

Arrival of the charter in New England. Sept. 4.

In Connecticut, at a General Court held the next month, it was received with great joy, and was committed to the custody of three leading citizens, who were bound by an oath to keep it safely. The Court passed votes to "declare all the laws and orders of the Colony to stand in full force and virtue," and to "establish all officers, both civil and military, in their respective places and power as formerly." Then they proceeded at once to exercise the extraordinary powers with which they were newly invested. Not waiting for action on the part of New Haven, they received the submission, not only of Southhold, a town of that Colony, which acted in the case in its corporate capacity, but also of a minority of the inhabitants of Guilford, Greenwich, and Stamford.[3] They sent a notice to West Chester, within the Dutch territory, of their claim to that plantation. They ordered "that the inhab-

Proceedings in Connecticut on the reception of the charter. Oct. 9.

[1] It had probably just then arrived. A letter from the Connecticut General Court to the Commissioners, in the week before their meeting, says nothing of the charter, but intimates that important intelligence from England was expected. (Conn. Rec., I. 384.)

[2] Records, &c., in Hazard, II. 467.

[3] Conn. Rec., I. 384 – 388. — Southhold and Stamford had long borne uneasily the yoke of New-Haven Colony. See N. H. Rec., II. 17, 23, 51, 59 – 65, 92 – 96, 143, 177, &c.

itants at Mystic and Paucatuck [Southertown] should forbear to exercise authority by virtue of commissions from any other Colony," thus undertaking to oust Massachusetts. And they appointed a committee of two Magistrates and two ministers "to go down to New Haven to treat with the gentlemen and others of their loving friends there."[1]

The impetuosity of these proceedings of Connecticut was unfortunate. In the sister Colony a sense of gratuitous affront deepened the sense of unprovoked wrong.

Resistance of New Haven to the charter.

The freemen of the town of New Haven held a meeting, on the second day after an "extraordinary seeking of God by fasting and prayer for his guidance of the Colony in this weighty business." The Connecticut committee had sent a letter, expressing their desire for "a happy and comfortable union, ... according to the tenor of the charter;" and the Magistrates of New Haven Colony, replying that they would consult their constituents, had added a request "that the issuing of matters might be respited until they might receive fuller information from the honored Mr. Winthrop, or satisfaction otherwise, and that in the mean time the Colony might remain distinct and uninterrupted, as heretofore."

Oct. 17.

Town-meeting at New-Haven.

Oct. 31.

At the New-Haven town-meeting, Mr. Davenport, in emphatic terms, deprecated the proposed union of the Colonies, and condemned the proceedings instituted by Connecticut to that end. He argued that the language of the new charter did not by necessary construction require a surrender of the independence of New Haven, and that, as a voluntary measure, it was not to be chosen. "The Deputy-Governor [Gilbert] declared that the things spoken by Mr. Davenport were of great weight." Mr. Street,

[1] Conn. Rec., I. 388 – 390.

Teacher of the church, sustained him in an earnest appeal, concluding with a text from the prophecy of Isaiah: "What shall one then answer the messengers of the nation? That the Lord hath founded Zion, and the poor of his people shall trust in it." "The matter was largely debated," and the meeting "by general vote declared their disapproving of the manner of Connecticut Colony's proceeding in this business."

Four days after, a *mass meeting* of the freemen of the Colony was held at the same place. The Governor took no decided part in the discussion which followed. Though officially cautious about a manifestation of his views, his conduct, throughout the proceedings, indicated that he was not unfavorably disposed towards the union. Perhaps he was insensibly biassed by the delicacy of his position. No conspicuous man in his Colony, except Davenport, was so much exposed to a prosecution for treason for giving shelter to the regicides; and he may well have been disinclined, at this moment of excitement, to offer new provocation to the crown.[1] The freemen separated after declaring that "they looked upon themselves bound to

Meeting of the freemen of New-Haven Colony. Nov. 4.

[1] Leete was very uneasy about his standing in England, on account of the report which had been sent thither of his sheltering the regicides. A year before the transactions mentioned in the text, he had gone to Boston, and had engaged Mr. Norton to make interest in his behalf with friends of Norton in England. A letter which Norton accordingly addressed to Richard Baxter (September 28, 1661), to bespeak his interposition in Leete's favor, is printed in "Reliquiæ Baxterianæ" (291). Norton requests that his own name may not be mentioned. Endicott also applied to Baxter (August 7, 1661) for a like mediation. (Ibid., 292.) Davenport was anxious for himself on the same grounds, and wrote to Sir Thomas Temple (August 19, 1661), who was just about to embark for England, soliciting his good offices there. Some representations in Davenport's letter (for which see Mass. Hist. Coll., XXVIII. 327) require an indulgent construction to reconcile them with facts known to us from other sources. But Davenport's was a bolder nature than Leete's; and, when the questions respecting the charter arose, his personal apprehensions did not prevent him from doing frankly and thoroughly what he esteemed to be a patriot's duty. The stand which he now took must have been more painful to him by reason of a close friendship which had for many years united him with Winthrop. See a series of his letters

stand by the Magistrates according to the laws here established," and appointing a committee (which consisted of the Magistrates and elders of the Colony, with Mr. Law of Stamford) "to draw up an answer to the General Assembly of Connecticut out of these three heads: (1.) that there be due witness-bearing against their sin; (2.) that there may be a deferring of things till Mr. Winthrop's coming, or we [obtain] satisfaction otherwise, and that we remain in the same state as we are till then; (3.) that we can do nothing till we consult with the other confederates." The committee was to "consider also about making address to his Majesty."[1]

Meeting of the General Court. Nov. 5.

In their answer, prepared accordingly, and submitted to the General Court, the committee said: "We do not find in the patent any command given to you, nor prohibition to us, to dissolve covenants, or alter the orderly settlements of New England; nor any sufficient reason why we may not so remain to be as formerly; also your beginning to procure, and proceeding to improve, the patent without us, doth confirm this belief; . . . . . yet, if it shall appear (after a due and full information of our state) to have been his Majesty's pleasure so to unite us, as you understand the patent, we must submit according to God." They set forth the disorders which had already resulted from the hasty course of Connecticut in extending her jurisdiction, and urged, by considerations of reason, justice, and ancient friendship, the propriety of discontinuing such proceedings, while means should be fully used "for the gaining of a right understanding, and to bring a peaceable issue or reconcilement of the matter."[2]

to Winthrop, collected by Dr. Bacon (Thirteen Historical Discourses, 366 – 386). They are also among the Winthrop Papers in the Collections of the Massachusetts Historical Society (XXIX. 276 *et seq.*; XXX. 3 *et seq.*).

[1] N. H. Rec., II. 467 – 471.

[2] Ibid., 473 – 475.

But the triumphant tone of feeling in Connecticut did not respond to this appeal. In Winthrop's absence, John Allyn,[1] of Hartford, a man of ability and resolution, was the leading spirit in the Colony. He had determined on a prompt and thorough assertion of its claim, and in his own circle there was no opposition to embarrass him. Connecticut made no reply to the letter from the sister Colony, except that, four months later, she raised a committee of four Magistrates, Allyn being one, "to go down to New Haven to treat with their honored and loving friends about settling their union and incorporation."[2] They were not authorized to consent to any concessions or compromises; the proposals which they made did not touch the main points of the controversy; and the mission proved unsuccessful. The General Court of New Haven, which met in the second following month, resolved to recognize no change in their government, and to go on as usual with their annual elections. At the same time, they sent another remonstrance, enlarging on the topics which had before been urged, and complaining of more recent usurpations.[3] To this letter also no reply was made.

Peremptory conduct of Connecticut. 1663. March 11.

May 6.

Meanwhile Winthrop, in England, heard with distress of the trouble which he had caused. "Having had serious conference" with the persons there charged with the busi-

[1] John Allyn was a son of Matthew Allyn, who was an original proprietor at Hartford, but removed to Windsor about 1644. In 1655, according to the Town Records, John Allyn was elected a Towns-Man (selectman) of Hartford; and, in 1659, Town Register. In 1658, he was made cornet of the troop of horse raised in that place. (Conn. Rec., I. 309.) In 1661, he was a Deputy in the General Court (Ibid., 372), and the next year was promoted to be an Assistant, being then also a lieutenant. In March, 1663, he was chosen Secretary (Ibid., 416), having previously performed some, at least, of the duties of that office (Ibid., 398). Daniel Clark, his predecessor, had been displaced for some fault (Ibid., 405; comp. 401); but was soon restored to favor (Ibid., 425, 429), though not to his highest office, till after an interval of another year (Ibid., II. 13).

[2] Ibid., I. 396.

[3] N. H. Rec., II. 475–483.

ness of New Haven, he communicated his views upon the subject in a letter addressed to "Major John Mason [who, as Deputy-Governor, was Chief Magistrate while Winthrop was abroad] and the rest of the Court at Hartford." "I gave assurance," he wrote, "before authority here, that it was not intended to meddle with any town or plantation that was settled under any other government; had it been any otherwise intended or declared, it had been injurious, in taking out the patent, not to have inserted a proportionable number of their names in it. . . . . If any injury had been done by admitting of freemen, or appointing officers, or other unjust intermeddling with New-Haven Colony," he recommended "that it be forthwith recalled," and in no case repeated. "And unto this," he added, "I judge you are obliged, I having engaged to their agents here, that this will be by you performed." He expressed his confidence that, with such treatment, the desired union might be amicably formed.[1]

Mediation of Winthrop. March 3.

His just and well-intended intervention was fruitless. A General Court of his Colony, which was held very soon after his letter should have been received, assumed the loftiest attitude. The Court appointed magistrates for Southhold, Stamford, and Greenwich; invited Deputies from plantations "according to the tenor of the charter;" and "voted that they would not send the patent, nor copy thereof, to

Persistence of Connecticut. May 14.

[1] The letter is in the possession of the Massachusetts Historical Society. (Trumbull MSS., XXII. 9.) There is a mystery about it, which I presume not to penetrate. "The copy of it was sent to Mr. Leete unsealed, with Mr. Winthrop's consent, and was written by his own hand." ("New Haven's Case Stated," in N. H. Rec., II. 523.) Its date (Ibid., 522) was "March 3, 1662" (N. S. 1663); yet the Connecticut Magistrates, referring to it in their answer to "New Haven's Case Stated," say, in March, 1664: "Our honored Governor's letter to Major Mason yet never came to our honored Major or our hands." (Ibid., 534.) They add: "If it be with you, you had done well if you had sent it to us." But how could Leete have doubted that the original of his copy was in the hands of the persons to whom it had been addressed?

be read at New Haven."[1] Three months later they proceeded to raise a committee "to treat," not with New Haven as a Colony, but "with their honored friends of New Haven, Milford, Branford, and Guilford," as if these were but separate communities. The committee was merely charged to inform the people of those towns, that "this Assembly could not well resent their proceeding in civil government as a distinct jurisdiction," and "could not but expect" that they would "yield subjection to the government established according to the tenor of the charter." The charter, of which a copy was still refused, was "publicly to be read in New Haven."[2] Aug. 19.

This was rough treatment for men who had hitherto been known as the peers of the best in New England; and it was borne with exemplary dignity. At the annual meeting of the Federal Commissioners, which was held this year at Boston, Governor Leete and Benjamin Fenn appeared as Commissioners for New Haven, and without opposition were recognized in that character. Winthrop, who had now returned from England,[3] and Captain John Talcott, represented Connecticut. Massachusetts protested against a claim which, in violation, as was alleged, of an arrangement formerly made by the Federal Congress, was recently set up by Connecticut to that part of the Pequot country, east of Mystic River, which included the settle- Meeting of the Federal Commissioners. Sept. 3.

[1] Conn. Rec., I. 402, 403, 405.

[2] Ibid., 407, 408.

[3] The time of Winthrop's arrival was not far from the last of June. He did not leave England till late in April, as appears from John Scott's letter to Edward Hutchinson, published by Mr. Arnold (Hist., I. 383). On the other hand, in the Connecticut Archives (Colony Boundaries, I. 7) is a copy of a paper expressing the desire of "the inhabitants and the proprietors" of lands in the Narragansett country "to be under the government of Connecticut Colony." The date is July 3, and John Winthrop was one of the subscribers. It is probable that he took care to lose no time after his arrival in meeting his partners in order to secure in this matter the benefit of an agreement which he had made in England, to the effect that it should be optional with those "inhabitants and proprietors" to determine whether they would be governed by Rhode Island or by Connecticut. (See below, p. 564.)

ment of Southertown;[1] and the Commissioners of Plymouth and New Haven advised the parties to "respite the matter at present," and resume it at the next meeting, unless they should meanwhile be able to agree.[2] "Captain Denison, in the behalf of Southertown," complained of the annoyance experienced from Connecticut in her claim for jurisdiction; and the Commissioners repeated their advice to Connecticut to desist.[3] The Governor of New Netherland appeared with a complaint of the encroachments of Connecticut upon his domain. The Commissioners of that Colony replied, that it had received no notice on the subject, which was "of great concernment," and asked that the consideration of it might be deferred to the next annual meeting. But the other Commissioners agreed that the treaty made with the Dutch thirteen years before was "binding according to its true intent and meaning, and that they would not countenance the violation thereof."[4] New Haven, by her Commissioners, represented the usurpations from which she was suffering, and asked redress. The Commissioners from Connecticut replied; the Commissioners from New Haven rejoined; and those from the other two Colonies — Bradstreet and Danforth for Massachusetts, and Prince and Josiah Winslow for Plymouth — gave their judgment on the dispute. It was, that "the Colony of New Haven ..... might not, by any act of violence,

[1] See above, pp. 382, 383; comp. Mass. Rec., IV. (ii.) 75; Conn. Rec., I. 389. — It will be remembered that the question between Massachusetts and Connecticut, as to their respective rights to the lands on the Pequot River, was settled in 1658 by the Federal Commissioners, who made the river the dividing line. Southertown, on the east of it, thus belonged to Massachusetts. In 1659, the Commissioners of Connecticut "earnestly requested a review of the case;" but the neutral Commissioners, on a full hearing, "saw no cause to vary from the determination given in the last year." (Records, &c., in Hazard, II. 415–422.) Under her charter, Connecticut now peremptorily reasserted her claim. See above, p. 546.

[2] Ibid., 478.

[3] Ibid., 485, 486.

[4] Ibid., 479.

have their liberty of jurisdiction infringed by any other of the United Colonies, without breach of the Articles of Confederation; and that, where any act of power had been exerted against their authority, the same ought to be recalled, and their power reserved to them entire, until such time as in an orderly way it should be otherwise disposed."[1]

It is likely that Winthrop returned from Boston fortified in the wish, rather than in the power, to moderate the severity of the course which his friends were pursuing. They had made up their minds that they had too efficient protection elsewhere, to need to be overawed by the judgment of a New-England confederacy. Again assuming that there was no longer a Colony of New Haven, they voted, that they could "do no less for their own indemnity than to manifest their dissatisfaction with the proceedings of the plantations of New Haven, Milford, Branford, &c., in their distinct standing in point of government," and that they "expected their submission according to the Charter, and his Majesty's pleasure therein expressed." The record is careful to note (perhaps by his own direction): "The Governor absent when this vote passed."[2] Oct. 8.

The Committee of New Haven "sent a letter to Connecticut," urging her compliance with the Commissioners' award.[3] It probably arrived immediately before the vote just now mentioned was passed; and it brought no other answer. To complete its list of troubles, New Haven was greatly straitened in pecuniary resources by the revolt of so many of its people, for only three towns adhered to the old government; and, "considering the low estate of the Colony and many falling off," it felt obliged to reduce the provision for the Governor and Deputy-Governor

Persistence of New Haven. Oct. 6.

Oct. 22.

[1] Records, in Hazard, II. 487, 488.
[2] Conn. Rec., I. 415.
[3] N. H. Rec., II. 501.

to forty pounds and ten pounds respectively. But it was not yet prepared for surrender; and the General Court passed a vote, "that no treaty be made by this Colony with Connecticut, before such acts of power exerted by them upon any of our towns be revoked and recalled, according to honored Mr. Winthrop's letter engaging the same, the Commissioners' advice, and our frequent desires." They "set apart a day for extraordinary humiliation and seeking of God by fasting and prayer."[1] They seemed to themselves to have obtained an advantage when they received a royal missive requiring observance of the Navigation Laws, addressed to "the Governor and Assistants of New Haven," and bearing a date a year later than that by which New Haven had been said to be annihilated; and they proceeded to turn it to the best account by prompt and liberal compliance with the demands which were made.

June 21.

Dec. 9.

They seized the opportunity, afforded by the order, to say that, to give effect to their legislation for this, as for any other purpose, it was necessary that the authority of their government should be maintained, and, to that end, it was necessary that its legal revenues should be collected. They accordingly issued what they named a *Declaration*, calling upon seceders "to return to their due obedience, and pay their arrears of rates." To such as should do this within three days, indemnity was promised for past malfeasances. "If any should presume to stand out against his Majesty's pleasure so declared," it would be "at their peril," as the Court "would not fail to call the said persons to a strict account, and proceed against them as disloyal to his Majesty, and disturbers of the peace of the jurisdiction."[2]

Bray Rossiter and his son John, citizens of Guilford,

[1] N. H. Rec., II. 500 – 504.

[2] Ibid., 510 – 512.

long disaffected to the government of New Haven, were of those who had lately submitted themselves to the sister Colony. When the Declaration was published in their town, they repaired to Hartford, and "obtained two of their Magistrates, marshal and sundry others, to come down with them to Guilford. Coming into the town at an unseasonable hour of the night, their party, by shooting off sundry guns, caused the town to be alarmed, and great disturbance, and some of them giving out threatening speeches, which caused the Governor to send away speedily to Branford and New Haven for help, which caused both towns to be alarmed also, to great disturbance."[1] At Stamford, the Declaration, "set up in a public place," was "violently plucked down, ... and with reproachful speeches rejected."[2]

Dec. 30.

Leete convened his General Court, and told his story. He set forth the dangers and scandal of the existing state of things, and advised the opening of another negotiation, which, he said, "the gentlemen from Connecticut did earnestly desire." The Court would entertain no such proposal. They remained firm in the purpose to adhere to their Declaration, and not to treat till the usurpations which had been practised upon them were forborne.[3] This decision was not without effect. The Magistrates of Connecticut offered, as the condition of a treaty, a provisional restitution of the ancient order of things at Guilford and Stamford, and a continuance, for the present, of the Colonial government of New Haven.[4] The freemen met in the spring for their annual election as usual. Deputies appeared for Guilford and Stamford, as well as for

1664. Jan. 7.

Feb. 24.

[1] N. H. Rec., II. 513, 514. — John Allyn, and three other Magistrates of Connecticut, were in Guilford on the 30th of December. (Ibid., 512, note.)

[2] Ibid., 527.

[3] Ibid., 513, 514.

[4] Ibid., 515.

the three more constant towns. Leete was again chosen Governor. Two of the elect Magistrates, Treat of Milford and Nash of New Haven, declined to serve.

May 25.

When the General Court of New Haven announced their final determination respecting the matters in dispute with Connecticut, they "desired Mr. Davenport and Mr. Street to draw up in writing all their grievances," to be laid before the General Assembly of Connecticut in the second following month. The elaborate and forcible paper, prepared and transmitted under this order, bears the title of "New Haven's Case Stated." It recounts in full the history of New-Haven Colony; its past relations to Connecticut; its exertions and sacrifices for the common cause; the acknowledgments of its independence and integrity on the part of the other confederate Colonies; the engagement made by Winthrop, at the time of his suit for a charter, that no invasion of the rights of New Haven should be allowed; and the later unfriendly proceedings of Connecticut. It contends that only by uncertain construction, contradicted by other considerations of weight, could it be argued that it was the royal pleasure that the separate existence of New Haven should cease. "The premises duly weighed," say the Court through these writers, "it will be your wisdom and way to desist wholly and for ever from endeavoring to draw us into a union under your patent by any treaty for the future, and to apply yourselves to your duty towards God, the King, and us." And it concludes by showing how duty in each of these relations would oblige their neighbors to desist from their present course. The Record of the Connecticut Court contains no notice of this plea.[1] Good judgment was shown in abstaining from an attempt to answer it.

Jan. 7.

March 9.

[1] In the Archives of Connecticut there is a draft of an answer, mostly in the handwriting of Allyn. Whether it was sent, or made public, is uncer-

In the progress of his negotiation for a charter for his Colony, Winthrop had unexpectedly found himself obstructed by the interference of John Clarke, of Rhode Island, who had remained in England since the time when he went thither on his errand to the Parliament.[1] After Clarke's main business had been concluded by the annulling of Coddington's "commission,"[2] his fellow-citizens from time to time employed him

John Clarke in England. 1651.

tain. Mr. Hoadly has printed it (N. H. Rec., II. 530 – 537). Allyn was an able man, but he was not John Davenport, to say nothing of the causes of which they were respectively the champions. It is far from clear, however, that Allyn was the author of this paper, which is supercilious and offensive. The Latin quotations, the illustrations from the Old Testament, and the lofty tone, so foreign from the usual tone of the soft-spoken Secretary, indicate rather a clergyman's hand. Stone did not write it, for he did not justify his Colony. (N. H. Rec., II. 522.)

[1] See above, p. 354.

[2] At the time when the ninth chapter of this volume passed from my hands, I had given up the hope of ever seeing the instrument by which the "commission" of Coddington was revoked, having diligently sought it in vain in the places, both in England and in America, which appeared likely to reward the quest. (See above, pp. 357, 359.) Since then, through the kindness of Dr. King, of Newport, I have been furnished with a copy of it, made from a transcript in the handwriting of William Lytherland, which came into Dr. King's possession in a parcel of ancient writings. Lytherland was Town Clerk of Newport in 1653. The paper is as follows: —

"Gentlemen, — The Council have been informed that Mr. Coddington, sent from hence Governor of Rhode Island, hath so behaved himself as hath produced great matters of complaint against him, now depending before us. The consequence thereof hath been the bringing of things there into great disorders and extremities amongst yourselves, by means whereof the whole Colony is exposed as a prey to the Dutch, the enemies of this Commonwealth, who (as we are informed) have designs upon that place in the absence of the Governor that hath withdrawn himself. Upon consideration of all which, we have thought it necessary, for the present, and until further direction and order be given by the Parliament, or this Council, for settling that Colony, to authorize you, and do hereby authorize you, to take care for the peace and quiet thereof, according to such orders and instructions as hath been given you by virtue of any ordinances or acts of Parliament. And, the better to defend the Colony against the Dutch, power is hereby given you to raise such forts and otherwise arm and strengthen your Colony, for defending yourselves against the Dutch, or other enemies of this Commonwealth, or for offending them, as you shall think necessary; and also to take and seize all such Dutch ships and vessels at sea, or as shall come into any of your harbors, or within your power, taking care that such account be given to the State as is usual in the like cases. And, to that end, you are to appoint one or

about some miscellaneous affairs, and especially in keeping up their communication with the Republican government and with Cromwell, and securing good-will and protection in those quarters.[1] Through him they presented "letters of humble thanksgiving to his Highness the Lord Protector, Sir Henry Vane, and Mr. Holland."[2] By his advice they sent "a

Relations of Rhode Island to the English Commonwealth. 1654. Sept. 13.

more persons to attend the care of that business; and we conceive the bearer hereof, Mr. William Dyer, is a fit man to be employed therein; and you are to give account of your proceeding to the Parliament or Council.

"Signed in the name and by order of the Council of State appointed by authority of Parliament,

"James Harington, Presidt.

"Whitehall, 2 October, 1652.

"Jo. Thurloe, Clerk of the Council.

"Magistrates and Free Inhabitants of Providence Plantation.

"A true copy by me.

"Will. Lytherland,
Town Clerk (Newport)."

The discovery of this paper gives significance to two memoranda which I obtained in England. One is an entry in the "Draft Order Books" of the Commonwealth's Council of State: —

"29th September, 1652. [It was ordered] that the business concerning Rhode Island be referred to the consideration of the Committee for Foreign Affairs."

The other is from a volume containing imperfect memoranda of the proceedings of that Committee, viz.: —

"1st October, 1652. That it be reported to the Council that a letter be written to the Plantation of Rhode Island in New England, to give them power to stay all Dutch ships, and to appoint some fit and able person to take care of them, and preserve the state."

It was doubtless by the authority of these votes that Harington wrote the letter copied above. One naturally imagines that Clarke was at his ear when it was composed.

In Newport this letter was interpreted as an authoritative restoration of the order of things, as formerly established under Williams's charter before Coddington's "obstruction;" and a copy was sent, with proposals founded upon it, to the "Commissioners" of the mainland towns (R. I. Rec., I. 259–261), though a copy had at first been refused (Ibid., 269; comp. 383), perhaps from distrust of the construction which would be put upon it elsewhere. Coddington, however, — to whom were imputed the representations made in England respecting danger from the Dutch (Ibid., 328, 329), — found the tide turned too strongly against him, and gave up the struggle, leaving the towns free to fall back upon the authority to frame their own government, which had been obtained for them by Williams ten years before.

In the circumstances thus elucidated, our surprise is lessened at Coddington's saying that he had not "seen anything to show that his commission was annulled." (See above, p. 359.)

[1] R. I. Rec., I. 328, 346, 364, 395, 416, 421, 422.

[2] Ibid., 283. At the same time they "ordered, that all transactions that had passed formerly under the title of the Bodies of the Liberties of England, &c., should from henceforth be issued out

letter of humble thanksgiving to the Lord President of the Council, in which was their prayer to his Lordship to present their humble submission and acknowledgment to his Highness the Lord Protector."[1] 1655. June 29.

They entrusted to him a memorial "to his Highness and Council," accompanied by a letter to himself, in which they congratulated themselves on his "interest in the hearts of their superiors, those worthy and noble Senators with whom he had to do in their behalf," and protested that their "continued and unwearied wishes after the comfortable, honorable, and prosperous proceedings of his Highness and Honorable Council, in all their so weighty affairs, departed not out of their hearts night or day," and "that they flew as to their refuge, in all civil respects, to his Highness and Honorable Council, as not being subject to any others."[2] 1658. Nov. 5.

And through him they conveyed their Address to the Protector Richard, in which they set forth their "unexpressible sorrow" for "the late departure of his and the nation's most renowned lord and father," and their "great joy that it had pleased God to provide for the three nations and themselves such a cordial" as was applied in the accession of the new sovereign.[3] 1659. May 17.

At the first meeting of the government of Rhode Island after the arrival of tidings of the restoration of King Charles, orders were passed Proclaiming of the King. 1660. Oct. 18.

in the name of his Highness, the Lord Protector of the Commonwealth of England, Scotland, and Ireland, and the dominions thereto belonging."

[1] R. I. Rec., I. 317, 318; comp. 321.

[2] Ibid., 395–399.

[3] Ibid., 414. The General Assembly recounted in their Address the favors which had been received from the Long Parliament, from the Commissioners for the Colonies, from the Council of State, and from his new "Highness's dearest father;" and they professed that, "for his Highness's person, their deepest wishes and humble desires unto God, the Father of lights, were for a double portion of his blessed father's spirit to be poured down into his Highness's noble breast." They had caused Richard to be formally proclaimed in each of their towns two months before. (Ibid., 407.)

that he should be proclaimed the next day with every circumstance of ceremony, and "that all writs, warrants, with all other public transactions, should be from thenceforth issued forth and held in his royal Majesty's name." At the same time a "commission," sent to Clarke, constituted him "the undoubted agent and attorney" of the Colony, "to all lawful intents and purposes lawfully tending unto the preservation of all and singular its privileges, liberties, boundaries, and immunities."[1] Contributions, liberal according to the means of his constituents, were made from time to time, to enable him to pursue the objects of this agency.[2]

The "commission" was issued about a year before Winthrop's arrival in England; but he had been there several months, prosecuting his business, before he heard anything of the designs of Clarke.[3] His charter for Connecticut had passed through the preliminary stages, and was awaiting the great seal, when it was arrested in consequence of representations made by the Rhode-Island agent.

Boundary line of Connecticut.

The question raised by him related to the boundary line between the two Colonies. The patent from the Earl of Warwick to Lord Say and Sele and others, subsequently transferred from these grantees to the planters on the Connecticut, had described the

[1] R. I. Rec., I. 432 – 435.

[2] Ibid., 444, 445, 448, 480, 482, 496, 505 – 507, 509, 510.

[3] "After the charter was under the great seal and finished, Mr. Clarke then appeared with great opposition, as agent for Rhode Island Colony. He never before made it known to me that he was agent for them [this implies that they had met], nor could I imagine it for a good while after my arrival here. Mr. Alderman Peake told me he had received letters from Rhode Island, with an Address enclosed, and was desired by those letters to deliver the Address, and afterwards told me he had procured Mr. Maverick to deliver it. I could not by this conceive they had any other agent. ..... Mr. Clarke might have done their business before my arrival, or all the time since." (Letter of Winthrop from London, September 2, 1662, in Arnold, History of Rhode Island, I. 380.)

land conveyed as "lying and extending itself [westward] from a river there called Narragansett River."[1] Intending merely to keep this ancient eastern boundary, but to describe it in more exact language, Winthrop, in preparing his new charter, had used the words, "bounded on the east by the Narrogancett River, commonly called *Narrogancett Bay* where the said river falleth into the sea."

Besides Rhode Island and Connecticut, a third party was interested in the settlement of this boundary. A company consisting partly of Massachusetts men, and commonly called the *Atherton Company*, from Humphrey Atherton, one of the partners, had bought of the Narragansett Indians a tract of land on the west side of Narragansett Bay.[2] When they heard that Connecticut was soliciting a charter, they naturally desired that their territory should be placed under the government of that Colony, rather than under the government of Rhode Island; and they apprised Winthrop, who was one of their associates, of their wish in that respect. He replied, writing from London, that the arrangement which he had made was such as accorded with their wish, though he had made it for the different reason which has just been pointed out.[3] There were laws of Rhode Island prohibiting the sale to aliens of

The Atherton Company. 1659. June 17. 1660. Oct. 13. 1661. Sept. 29. 1662. Sept. 2.

[1] See the patent in Trumbull, Hist., I. 495; Hazard, II. 597.

[2] R. I. Rec., I. 464, 465. — There were seven partners; namely, Winthrop, Atherton, the two Richard Smiths, father and son, long settled on the spot (see above, p. 218), William Hudson and Amos Richardson, of Boston; and John Tincker, of Nashaway (now Lancaster). In the Trumbull papers in the Library of the Massachusetts Historical Society (XXII. 5) is a letter from Richardson to Winthrop, of July 9th, 1659, in which he gives an account of the purchase. He describes the tract as lying twelve miles in length on the shore of Narragansett Bay, with "the trading-house [Wickford] in the middle." Comp. Conn. Rec., II. 541. See below, p. 571.

[3] Letters in the Collection of Trumbull MSS. in the Library of the Mass. Hist. Soc., XXII., Nos. 38, 45, and 47. They have been printed by Mr. Arnold (History of Rhode Island, I. 378–381).

lands within her territory.[1] Maintaining that the lands of the Atherton purchase belonged to her jurisdiction, Rhode Island had at once addressed remonstrances upon the subject to the Company, to the General Court of Massachusetts, and to the Federal Commissioners.[2] But they had produced no effect.

Clarke's application for a charter.

In the month in which Winthrop informed his friends of his settlement of the eastern boundary of Connecticut, it appeared that Clarke had made great progress towards settling it in a different manner. With steady perseverance, and with a boldness which has its place among the talents for diplomacy, he had, from an early moment, bespoken the royal patronage, and had forced his way against some great difficulties. The plantations, which he represented, had previously solicited and obtained, far more than others in New England, the favor of the English Commonwealth and of its leading men,[3] and had accepted from them constitutions of government,[4] when Massachusetts had been so shy as to refuse to avail herself of a grant inconsiderately obtained for her by Weld, though it gave her nearly the whole of the Narragansett country.[5] On the other hand, the exclusion of Rhode Island from the New-England Confederacy must have seemed to Lord Clarendon to constitute a claim to the favor of the English court; and if the agent's personal griefs, as well as the public interests which he had in charge, led him to proclaim and manifest a vigorous hostility to Massachusetts, it must have advanced his suit.[6] When Winthrop thought that

[1] R. I. Rec., I. 126; comp. 401, 403.

[2] Ibid., 421; comp. 428, 435, 438.

[3] See above, pp. 558, 559.

[4] See above, pp. 215, 344.

[5] See above, pp. 122, note 2.

[6] Chalmers has been understood to refer to Clarke where he says (Annals, 273), "The Deputies of these plantations boasted to Charles the Second of the merits of this transaction [the surrender of the Narragansetts to the King (see above, pp. 136, 137)], and at the same time 'challenged the agents of Boston to display any one act of duty or loyalty shown by their constituents to Charles the First, or to

he had secured for Connecticut a territory extending eastward to Narragansett Bay, Clarke had obtained for Rhode Island the promise of a charter which pushed the boundary westward to the Paucatuck River, so as to include in the latter Colony a tract twenty-five miles wide, and extending in length from the southern border of Massachusetts to the sea.[1] September.

The interference of the charters with each other endangered both. Complaining of Clarke's unlooked-for opposition, "which was a great wrong, to the hinderance of his voyage,"[2] Winthrop found it necessary to remain abroad, to complete the business as best he might. He entered into a negotiation with Clarke; and, after several months, a composition was effected by the award of four arbiters. The agreement consisted of four articles, of which two were material. The first was that Paucatuck River should "be the certain Agreement between Clarke and Winthrop. 1663. April 17.

the present King, from their first establishment in New England.'" But I am persuaded that — as to part of this, at least — Chalmers did not here allude to Clarke, but to the Warwick men, who, at a later period, did give the challenge which he describes. The charter, however, recites (Hazard, II. 612, 613) that the King had "been informed by the humble petition of his trusty and well-beloved subject, John Clarke, on the behalf of" various persons, his constituents, that they had, "by near neighborhood to, and friendly society with, the great body of the Narragansett Indians, given them encouragement of their own accord, to subject themselves, their people, and lands unto" the King of Great Britain; and that by the same petitioners he was assured that it was "much on the hearts" of those persons "to hold forth a lively experiment ..... that true piety, rightly grounded upon Gospel principles, will give the best and greatest security to sovereignty, and will lay in the hearts of men the strongest obligations to true loyalty." So the King declares himself willing "to preserve unto them that liberty in the true faith and worship of God, which they had sought with so much travail, and with peaceable minds and loyal subjection to his royal progenitors and himself." The part relating to what was "much upon their hearts" was copied into the charter from a memorial of Clarke to the King. (R. I. Rec., I. 490, 491.) In the same memorial Clarke says that they for whom he appears "have still in their removes, and in the rest of their actings, made it manifest that they, as the true natives of England, have firmly adhered in their allegiance and loyalty to the sovereignty thereof."

[1] Chalmers, Annals, 274; comp. R. I. Rec., I. 482.

[2] Letter of Winthrop, in Arnold, I. 380.

bounds between the two Colonies, which said river should for the future be also called, 'alias, *Narrogansett*, or *Narrogansett River*.'" By the third, the Atherton Company were authorized to choose "to which of those Colonies they would belong."[1]

The danger of a dispute which would have led to a revisal, and not improbably to the ruin, of the charters, was averted for both. But to say that "Paucatuck River" meant *Narragansett Bay* was much the same as to say that the Thames means the British Channel;[2] and, if the agreement between the agents was valid, Connecticut was sadly curtailed of her domain. The compact concluded, Winthrop without delay embarked for America.[3]

A singular edict from the King soon followed him. It was addressed to each of the confederated Colonies; and it recommended the Atherton Company to their "neighborly kindness and protection, the proprietors to be permitted peaceably to improve their colony and plantation in New England." The occasion of it was that the King had "been given to understand that his good subjects, Thomas Chiffinch, John Scott, John Winthrop, Daniel Denison," and others, were "daily disturbed and unjustly molested in their possession and laudable endeavors by certain unreasonable and turbulent spirits of Providence Colony in New England, to the great scandal of justice and government, and the eminent discouragement of that hopeful plantation."[4]

Favor of the King to the Atherton Company. June 21.

[1] Mass. Hist. Coll., V. 248; R. I. Rec., I. 518.

[2] See Conn. Rec., III. 275.

[3] See above, p. 551, note 3. "Mr. Winthrop was very averse to my prosecuting your affairs, ... but, as soon as I received intelligence of his departure from the Downs," &c. (Letter of John Scott, April 29th, 1663, in Arnold, 383.)

[4] Of John Scott, the person named second in the King's letter, I know nothing with certainty before this transaction. He was probably the troublesome person of that name who appears in the Records of New Haven (II. 89, 92) as early as 1654. In that year, a "John Scott, of Long Island, and others, were [by the Dutch authorities] arrested and examined as sus-

It was in the third week after the date of this letter that Clarke's charter, which the King probably did not know that he had been contradicting, passed the seals.

pected persons" (Brodhead, I. 579); and, in 1660, he had "caused much embarrassment to the people of Southampton and its neighborhood. . . . . Claiming to have obtained from the Indians large tracts of land, he executed numerous conveyances, which, after much litigation, were found to be fraudulent and void." (Ibid., 671.) He was now "John Scott, smith."

It seems, from his letter to Edward Hutchinson, of April 29, 1663, (Arnold, I. 383,) that Scott, being then in London, and pretending to have some connection with the Atherton Company, had tried to put himself upon Winthrop, who would have nothing to do with him. When he had the field to himself, after Winthrop's departure, he says he used "a parcel of curiosities to the value of £ 60," to interest "a potent gentleman" in favor of "a petition against Clarke, &c., as enemies to the peace and well-being of his Majesty's good subjects;" and he was in hope of obtaining "a letter with authorizing expressions to the Colonies of Massachusetts and Connecticut that the proprietors of the Narragansett country shall not only live peaceably, but have satisfaction for injuries already received." Mr. Arnold supposes the King's letter (see my last page) to be the fruit of the potent gentleman's satisfaction with the sixty pounds' worth of curiosities. I have no doubt he is right. I will venture another conjecture. It relates to the identity of the "potent gentleman" whose interest at the ear of the King was secured by Scott's bribe. The first of the King's "good subjects" named in his letter is Thomas Chiffinch. I presume that Scott's go-between was the Tom Chiffinch, who was conspicuous in the scandalous chronicles of the time as a pimp of Charles the Second. Lord Arlington, though not himself fastidious, must have had his thoughts when he signed a missive coupling such a name with the names of Winthrop, Denison, and other patterns of New-England sanctity. It must have made the merry monarch hilarious for one evening. Perhaps Buckingham or Rochester was indulged with composing it for the signature of the graver courtier.

Scott practised more boldly yet on the King's indulgence. He presented a petition, which reads as follows (Hutch. Coll., 380): —

"That your Majesty's petitioner's father, in the year 1641, sold £ 2,200 per annum, and advanced £ 14,300 to the use of his Majesty's father, of ever-blessed memory, besides the loss of his life in the said service; and your petitioner, for a small expression of his loyalty, by cutting the bridles and girts of some of the then Parliament's horses quartering at Turnham Green (and his late Majesty's at Branford) was, after many hearings before a committee of the said Parliament (by a gift of £ 500 to the said committee, to prevent further mischief), ordered to be sent to New England under the tuition of one Downing, who dealt most perfidiously with your Majesty's petitioner; that your Majesty's petitioner was forced to court any employment to acquire a livelihood, employing himself in and about an island called *Long Island*, of which island, before your Majesty's happy restoration, the petitioner purchased near one third part.

"The petitioner, therefore, humbly

It created "a body corporate and politic, in fact and name, by the name of the Governor and Company of the English Colony of Rhode Island and Providence Plantations in New England in America." Similar to that of Connecticut in grants

Charter of Rhode Island and Providence. July 8.

prays your Majesty, of your princely grace and favor, to bestow upon him the government of the said island and islands adjacent, or liberty to the inhabitants to choose a Governor and Assistants yearly."

The King pretended to believe him so far as to direct a reference of the petition (June 26, 1663) to the Committee of Foreign Plantations, with an intimation of his being "most graciously inclined to encourage him [Scott] in his desires." *Arcades ambo.*

Scott's next appearance is in an order of the Council for Plantations (July 6, 1663), "that Captain Scott, and Mr. Maverick, and Mr. Baxter [George Baxter, formerly of New Netherland (see above, p. 310; comp. Brodhead, I. 620)] do draw up a brief narration of and touching these particulars following, viz. 1. Of the title of his Majesty to the premises [New Netherland]; 2. Of the Dutch intrusion; 3. Of their deportment since, and management of that possession, and of their strength, trade, and government there; 4 and lastly. Of the means to make them acknowledge and submit to his Majesty's government, or by force to compel them thereunto or expulse them;—and to bring in such their draft on paper to this Council on this day sevennight, that this Council may humbly make report to his Majesty touching the whole matter as they shall see cause." (Documents relative to the History of New York, III. 46.)

Scott returned from England in December, 1663, bringing with him the royal instructions concerning the enforcement of the Acts of Navigation. (N. H. Rec., II. 510; see above, p. 554.) He had somehow established such credit with the western Colonies, that the General Court of New Haven (January 7, 1664) instructed a committee to "treat with Captain Scott about getting a patent for Delaware" (N. H. Rec., II. 515), and Connecticut made him a Magistrate on Long Island. (Ibid., 541; comp. Documents relative to the Colonial History of New York, II. 393, 399–407.) He presently got himself into trouble with the latter government by attempting to detach from it the settlements which it claimed on the island (Brodhead, 726; O'Callaghan, History of New Netherland, 500, 502); and orders were issued (March 10) to the Marshal to arrest him, and bring him to trial, "for sundry heinous crimes and practices seditious, to the great disturbance of the peace of his Majesty's subjects on the Island," and for a long list of other offences. (Conn. Rec., I. 418, 420, 421, 424.) He was apprehended accordingly, after making resistance. (O'Callaghan, Hist. New Netherland, II. 512.) This proceeding, for some reason, excited a strong sensation in New Haven. By Scott's servant, who, it seems, went express to Boston, Governor Leete wrote (April 22) to the Council of Massachusetts. (Mass. Archives, II. 183; N. H. Rec., II. 540.) He referred to a previous letter which he had written, "of the sad business respecting Captain Scott, to Major-General Leverett, who, he conceived, did best know him, his interest in England, and service to this country there." "The extremity of hazards to him

marked by a liberality hitherto unexampled, it added the extraordinary provision, that "no person within the said Colony, at any time thereafter, should be anywise molested, punished, disquieted, or called in question, for any difference of opinion in matters of religion which

[Scott] and the country, growing on so fast by some transactions of a cloudy aspect," had caused the writer to "think it a duty incumbent on him again to solicit them [the government of Massachusetts] as confederates of a special interest in the weal public and peace of the country, ... entreating them to lay the matter to heart, and do their utmost for the preventing of Captain Scott's ruin, and the hurt that might come thereby to the country, he being reputed his Majesty's servant, and upon service now by letter to the four United Colonies, when thus obstructed." "If ever advice and succor were needful to confederates," Leete continues, "it is now; but to prescribe the way is difficult." He says he hears that Scott's trial is fixed for "the 8th of May next, if he be not dead before, as was like to have been the other day, by poison, as he [Scott] conceives;" and he recommends that instant application be made by Massachusetts to Plymouth to unite with her in procuring a meeting of the Federal Commissioners at Hartford before that day. "The main of the matter seems to him to lie in the expedition;" and he concludes with expressing his "hope that the Lord would appear in the Mount Difficulty, and withhold every arm stretched forth unto any fatal blow that might bring hurt unto God's people and their concerns."

Thus much only appears clear about the transaction, — that Leete, and not Leete only, understood Scott to possess some dangerous power, which, for reasons of his own, he was in no haste to use, but which he would use if Connecticut pressed him too far. Whatever the "Mount Difficulty" was, it may be supposed, from the action of the Massachusetts Magistrates, that it loomed high in their view, as well as in Leete's. Without loss of time, they despatched Leverett and Captain William Davis to Hartford (April 27), there to present themselves "to the Honorable John Winthrop, Esq., Governor of Connecticut Colony, and to acquaint him, that, on information referring to John Scott, Esq., of some severe proceedings by their authority against him, they [Leverett and Davis] were appointed messengers and commissioners to him in a friendly way, as loving neighbors and confederates that stand obliged to seek the mutual peace of each other, to inquire concerning the said Scott's condition, and further to declare their [the Magistrates'] sense thereof, as the matter should to them [the messengers] appear, according to instructions given them." (Mass. Archives, II. 184.) The main import of the letters conveyed by the messengers (Ibid., 357) was to bespeak credit and attention to their representations and advice. Evidently it was not intended to conduct the negotiation in writing. Only two days later, Plymouth despatched William Bradford and Thomas Southworth to Hartford on the same errand. (N. H. Rec., II. 541; comp. Hutch. Coll., 384.)

Connecticut, however, had her own views on the subject. She brought Scott to trial, convicted him (May 24) under ten charges, — one of them being for forgery, — and sentenced him to pay a fine of £ 250, to be imprisoned

did not actually disturb the civil peace of the said Colony; but that all and every person and persons might, from time to time, and at all times thereafter, freely and fully have and enjoy his and their own judgments and consciences in matters of religious concernments." Lord

during the pleasure of the Court, and to give bonds to the amount of £ 500 for future good behavior. (Conn. Rec., II. 16; comp. 430.) "New-Haven champion," wrote Rossiter to the Connecticut Court, "in whom they have so much confided, and yourselves so much feared, being now disclosed and foiled." (N. H. Rec., II. 539.) Before July 1st, he broke gaol, and escaped (Conn. Rec., I. 436); and it is likely that the Colony congratulated itself on obtaining so easy and complete a riddance of him.

There are indications that one way in which he had made himself formidable was by threatening charges of treason, which he would agree to suppress for a consideration. He could carry on this business to advantage by vaunting his interest with his friend Chiffinch, and with the royal friend of both. He also declared himself to be an agent of the Duke of York. (Documents relative to the Colonial History of New York, III. 400.) On his trial, he "affirmed that he had testimonies, to the number of fifty-four, against several persons in authority here, and others, for heinous crimes, — many of them were." But he ended by making an humble submission to the mercy of the Court, professing penitence in abject terms (O'Callaghan, II. 553), and retracting a special charge, which he had made against one individual, of uttering "treasonable words."—These last facts are furnished to me by Mr. J. Hammond Trumbull, from the Council Records of Connecticut.

After one other little attempt (January, 1665) at mischief-making on Long Island (Documents relative to the Colonial History of New York, III. 86), which was easily arrested, Scott's American career was closed. In 1665 or 1666, he went to Barbadoes, whence Lord Willoughby wrote to Colonel Nicolls that he meant to send him prisoner to England. (Ibid., 136; comp. 105.) But Chiffinch's client, once on English ground, probably did not much fear the displeasure of the Governor of either Barbadoes or New York.

There was a Colonel John Scott, known by Pepys to his cost, who may, or may not, have been the same person. He had accused Pepys of Popery and treason. (Grey, Debates of the House of Commons, VII. 303–311.) He killed a coachman in London, in 1682, much to Pepys's relief, who trusted that there was an end to trouble from him. (Pepys, Memoirs, &c., V. 92; comp. I. xxxv.) Pepys speaks of him (Ibid., V. 94) as "our friend Scott, whom God is pleased to take out of our hands into his own for justice." He interests himself with his correspondent to prevent Scott's getting a pardon from the King, "which," Pepys proceeds, "I suppose he will not easily compass, except by some confessions, which I am confident he is able to make, relating to the State, as well as us, that might enough atone for this his last villany; nor do I doubt but, to save his own life, he will forget his trade, and tell truth, though to the hazard of the best friends he has." In the investigation of Scott's charges against Pepys, "numerous affidavits were made by persons resident in France, Holland, *America*, and England, all agreeing as to the in-

Clarendon was creating a precedent with which he might hereafter rebuke Massachusetts; and the King was already exercising that *dispensing power*, to which, as a royal prerogative, he and his successor meant by and by to give a wider extension for the relief of their Romish friends.[1] No oath of allegiance was prescribed. All inhabitants of the Colony were to have unmolested passage, at their pleasure, through the territory of the other jurisdictions. Benedict Arnold was appointed the first Governor, and William Brenton the first Deputy-Governor, to continue in office till the time designated for the

famy of Scott's character." (Ibid., I. xxxvi.)

In the State-Paper Office is a memorandum of matters written down (according to a note in the margin) "from Major Scott's mouth." It is in the handwriting of Sir Joseph Williamson, afterwards Secretary of State, but, in the years here spoken of, Under-Secretary to Bennett. He was a bustling person, greedy for all sorts of information, and not careful about the sources whence he obtained it. There is no date to the paper; but, from the way in which the year 1662 is mentioned in it, I incline to think that it was not written so early as 1663; and, if this conclusion is correct, then it must have been written on a return of Scott to London after his troubles in Connecticut, for they took place early in 1664, he having come to America in the autumn of 1663.

"Sir Henry Vane [such was the intelligence with which Scott enlightened Williamson] in 1637 went over as Governor to New England, with two women, Mrs. Dyer and Mrs. Hutchinson, wife to Hutchinson's brother, where he debauched both, and both were delivered of themselves. — Removed [from] the King's commission, then banished. [I suppose that Scott, in his small acquaintance with Massachusetts, may have imagined Vane to have been included in a royal commission of magistracy, and that he intended to represent to his believing hearer that William Hutchinson, husband of Ann, was brother of Colonel Hutchinson, the regicide, — the best-known person of those who bore the name.]

"One Pike [Captain Robert Pike, of Salisbury], a hopeful man, and of great interest among them.

"T. T. [Sir Thomas Temple] dwells idly at Boston, and is fooled by them.

"Boston persuaded T. T. to raze his forts, 1662, (to spare charge, and so he did,) to free themselves from us, and to take off the check we might have over them.

"The militia is under a Major-General, chosen annually by beans.

"Leverett is their Major (and the people is the General).

"Several of these towns [of Maine] have been hooked in by Massachusetts."

[1] "This his Majesty's grant," says Roger Williams, referring to this provision, "was startled at by his Majesty's high officers of state, who were to view it in course before the sealing but, fearing the lion's roaring, they crouched, against their wills, in obedience to his Majesty's pleasure." (Letter to Major Mason, in Mass. Hist. Coll., I. 281.)

election, which was afterwards to be made annually in the Colony. Ten Assistants were also named, of whom Williams was one, but not Coddington.[1]

Reception of the charter at Rhode Island.

Nov. 24.

The charter was received with transports of joy. It was "taken forth and read by Captain George Baxter [who brought it] in the audience and view of all the people; ..... with his Majesty's royal stamp and the broad seal with much becoming gravity held up on high, and presented to the perfect view of the people." "Humble thanks" were voted to the King for his "high and inestimable, yea, incomparable grace and favor unto the Colony," and to Lord Clarendon "for his exceeding great care and love;" and gratuities were granted to Clarke and to Baxter of a hundred pounds and twenty-five pounds respectively. Provisional arrangements were made for carrying on the public business till another General Court;

Nov. 26.

and the Narragansett Indians were informed that the King had placed them under the government now created.[2] In the following spring definite orders

1664. March 1.

were adopted for administering the Colony under the charter; and a Governor (Benedict Arnold[3]),

[1] For the charter see Hazard, I. 612 *et seq.*; R. I. Rec., II. 3 *et seq.* It defined the boundary according to the agreement between Clarke and Winthrop. — The population of the four towns of the Colony is estimated by Judge Durfee (Discourse before the R. I. Hist. Soc., p. 16) to have been, at this time, "not more than three or four thousand souls." Trumbull understands Connecticut to have had, at the same time, "eight or nine thousand inhabitants." (History, I. 287.) The whole English population of New England was probably not far from forty thousand.

[2] R. I. Rec., I. 508 – 515. — Warwick did not like to pay its share of the assessment levied for Clarke's benefit, and, in a memorial to the General Assembly (December 12, 1664), made several objections. One thing objected was: "We know that Mr. Clarke did publicly exercise his ministry in the word of God in London, as his letters have made report, as that being a chief place for his profit and preferment, which we doubt not brought him in good means for his maintenance; as also he was much employed about modelizing of matters concerning the affairs of England, as his letters have declared." (Ibid., II. 79; comp. 142.)

[3] Arnold had been an Assistant, for Newport, in 1654 and 1655, and President in 1657, 1658, 1659, 1662, and 1663. (Ibid., I. 282, 303, 353, 386, 407, 467, 504.)

and Deputy-Governor (William Brenton), with ten Assistants and eighteen Deputies, were elected. Roger Williams was chosen an Assistant, but Coddington had not again emerged from the popular disfavor. May 4.

Rhode Island — to give to the Colony the abbreviated name which old custom has made familiar — had by her charter reached a better capacity than ever before for settling some of her disputes. Using the privilege of choice, which had been accorded them by the compact between Clarke and Winthrop, the Atherton Company had determined to place their lands under the jurisdiction of Connecticut. That Colony had accepted the surrender of the territory, and, appointing a local magistracy at a little settlement of traders which had existed there for some years, had given to it the name of *Wickford*.[1] Rhode Island ordered that persons coming into the Narragansett country "to settle, build, or inhabit, without express leave first had and obtained from the General Assembly," should be "taken and imprisoned for such their contempt."[2] Accordingly, four persons were arrested at Wickford, including Richard Smith, Jr., the constable appointed by Connecticut. Smith's father informed the Atherton partners of what had taken place, and they applied for "advice and direction" to Governor Winthrop, at the same time acquainting him that they had heard — but with incredulity — of his having disclaimed for his Colony a jurisdiction over the Company's lands.[3] 1663. July 10. 1664. March 1.

The same questions arose respecting another plantation. Some Rhode-Island men had bought from a Narragansett chief a parcel of land, called by the Indians *Misquamicock*, lying at the mouth of the Paucatuck River, on its eastern side. The purchasers applied to the General Court of Rhode

Disputes concerning lands on the Paucatuck River. 1660. Jan. 29.

[1] Conn. Rec., I. 407.
[2] R. I. Rec., II. 29, 30.
[3] Ibid., 42–49.

Island for its "favorable approbation, countenance, and
1661. assistance in the settling of a plantation or
Aug. 27. township."[1] The Federal Commissioners were apprised of what was going on, and wrote to the Governor of Rhode Island that the "Pequot Country," within
Sept. 13. which the proposed settlement was included, was "the undoubted right of those English Colonies that conquered that bloody nation; and, some years since, that part of the country was assigned by the Commissioners of the United Colonies to the government of the Massachusetts, for their share and interest in that conquest, and by them disposed of in townships and farms."[2] Endicott received an affidavit from William Chesebrough, that "about thirty-six in-
Sept. 30. habitants of Rhode Island were come into the bounds of Southertown, to lay claim unto the lands on the east side of Paucatuck," and that he had
Oct. 25. protested against the trespass. Endicott issued his warrant for the apprehension of such per-
Nov. 14. sons, and three were arrested and brought to Boston, where two of them were sentenced to pay a fine of forty pounds, and to give bonds, to the amount of a hundred pounds, to keep the peace. The
Dec. 3. authorities of Massachusetts wrote "once and
1662. March 8. again" to Rhode Island, demanding a prohibition of such disorderly inroads. For a time they
May 10. had no answer. At length, by a threat that, unless within seven weeks their town on the Paucatuck was vacated by the strangers, they "should account it their duty to secure all such persons," they succeeded in breaking the silence.[3] The Rhode-Islanders replied,

[1] R. I. Rec., I. 449.

[2] Records, &c., in Hazard, II. 448; comp. above, p. 383.

[3] R. I. Rec., I. 455–463. — In the correspondence which took place on this occasion is one of the few allusions which occur to the grant to Massachusetts of the Narragansett country in 1643: "Besides what we formerly wrote, we [the Massachusetts government] have a charter and patent from the Lord of Warwick and divers

that their patent included all lands east of the Paucatuck, and even beyond that river, and that the recent planters had proceeded with their approbation. They excused their delay in answering the earlier letters on the ground of their having arrived "in the interval of Courts;" they complained of the precipitancy of Massachusetts in issuing her warrant; and they proposed to her "to expect the future pleasure of his Majesty in these affairs, not persisting any further to grieve them by force used against them, ... without express order from his Majesty."[1] May 22.

On the reception of the charter of Connecticut, the Federal Commissioners wrote to Rhode Island that by that instrument the King's pleasure was declared, and that "the lands of Paucatuck and Narragansett were contained" within the former Colony.[2] When the Commissioners had separated, the General Court of Rhode Island addressed to the government of Massachusetts a reply to this communication. They said that the charter referred to had been "procured by an underhand dealing, and that the power that granted it did so resent it, and was resolved to do that which was right therein;" and they asked for the liberation and remuneration of the persons who had been taken at Southertown, and who still lay in prison for the non-payment of their fines.[3] Just before the royal charter to Rhode Island reached America, some progress seemed to have been made towards an adjustment of this dispute. Massachusetts proposed to refer the decision of it to the Sept. 12. Oct. 27. 1663. Oct. 21.

other Lords and Commons, empowered thereunto by Parliament, of all that tract of land from Pequot River to Plymouth line," &c. (R. I. Rec., I. 461; see above, p. 123.)

No less a person than Governor Arnold, of Rhode Island, was among the trespassers whom Chesebrough warned away from Southertown. (R. I. Rec., I. 455.)

[1] R. I. Rec., I. 469 – 473.

[2] Records, &c., in Hazard, II. 467; comp. 462.

[3] R. I. Rec., I. 493.

Nov. 24. Federal Commissioners, or to arbiters chosen by the parties;[1] and, on her part, Thomas Prince and Josiah Winslow, of Plymouth,[2] were nominated as referees. On the part of Rhode Island, Randall Holden, of Warwick, (for whom afterwards John Green was substituted,) and Joseph Torrey, of Newport, were authorized to make "a treaty according to the proposals."[3]

1664. March 1.

Fresh alarms from England.

But the attention of all the Colonies was now called in a direction different from that of controversies among themselves. The reader remembers that Massachusetts had rendered no satisfactory compliance with the royal demands transmitted through her agents.[4] By the measure for a political overthrow of New Haven, the Confederacy had now been deranged. It was probably hoped by the ministry of King Charles, that, by the charters to Connecticut and Rhode Island, the good-will of those Colonies had been secured, and that, in the consequent transactions, ancient heart-burnings had been revived, and new interests and sentiments created, hostile to Massachusetts. There was a hold upon Plymouth through her hope of a similar indulgence; and, at all events, Plymouth was feeble in population and in wealth. It seemed that, substantially, Massachusetts would be left alone in the championship of freedom in New England.

In the Privy Council, just after the Connecticut charter had been despatched, "the settlement of the Plantations in New England was seriously debated and discoursed; and the Lord Chancellor declared then, that his Majesty would speedily send Commissioners to settle the respective interests of the several Colonies, — the Duke of York [afterwards James the Second] to consider of the choice of fit men."[5] Seven months later,

1662. Sept. 25.

[1] Mass. Rec., IV. (ii.) 95.

[2] R. I. Rec., I. 516, 517.

[3] Ibid., II. 30; comp. 49, 50.

[4] See above, p. 527.

[5] Journal of the Privy Council. — To this entry is added: "A patent

"his Majesty, present in Council, did declare that he intended to preserve the charter of that plantation ['New England'], and to send some Commissioners thither speedily, to see how the charter was maintained on their part, and to reconcile the differences at present amongst them."[1] 1663. April 10.

It was just after the communication of this scheme

of corporation to be granted to Rhode Island."

Temple had probably reached London in the preceding February. On the 26th day of that month, it was ordered by the Council, that "all persons that have any commissions from those in New England interested in the affairs of that plantation, and all others who can give any account in reference to his Majesty's service, and the good and benefit of those parts, do attend on Thursday next the 6th of March ensuing, at three in the afternoon; and particularly that Colonel Thomas Temple and Mr. Winthrop, and such as they shall advise and think fit, be summoned and required then and there at the time aforesaid to give their attendance also."

In the Massachusetts Archives (CVI. 56, 57) is a long "extract from Colonel Temple's letter, dated the 4th and 5th of March" of this year. The letter appears, from one sentence, to have been addressed to Mr. Lake (see above, p. 495), who was "a merchant of note in Boston." (Hutch. I. 209.) Temple had but partially recovered, he says, from "somewhat a rough and long passage, in which he was perpetually sick, and no less distressed in mind." He was still more distressed, when he reached London, and learned that representations had been there made against him and the Colony of Massachusetts, "with all the malice and treachery imaginable." He had "at first almost yielded to despair, and began to think of ending his days in some obscure cottage." But, recovering himself, and having gone to "God's throne," and "prostrated himself, and earnestly besought his mercy, direction, comfort and counsel," he had obtained courage to make a personal appeal to the Earl of Manchester, and, by the favor of that nobleman, had obtained an audience of the King. A friend accompanied him, who "very nobly testified the service he had done the late King, and his commands to his Majesty that now reigns to reward and take a special care of him." The King received him graciously, and he used his advantage to "set forth the happy and flourishing condition that the plantation was in." He now hoped "in a few days to get New England's former charter renewed." "If," he says, "the Major-General [Leverett] comes over, he may have anything; but I hope to do all to his hand. ..... The King and Chancellor and all the Lords are as zealous now for New England's good as Mr. Wilson is. The Chancellor commanded me to assure you of his true love and friendship to the country, and that neither in your privileges, charter government, nor church discipline, you should not receive any prejudice, neither did the King or Council intend in the Quaker's letter that you should not punish them, but only not put any to death without their knowledge." — Sir Thomas Temple was not a dull man; but he was not a man to read Lord Clarendon.

[1] Journal of the Privy Council.

to the Privy Counsellors, that the General Court of Massachusetts raised their committee to devise some course for them, that might "be satisfactory and safe, as best conducing to God's glory and the people's felicity."[1] The committee had made no report. There had been no action in England to guide their thoughts.

A year had passed, when the Court, convened for the annual elections, received intelligence which was recognized in the following proceedings: — "The Court, being informed that some of his Majesty's ships are on their voyage to these parts, in which are several gentlemen of quality, — do therefore order that the Captain of the Castle, on the first sight and knowledge of their approach, give speedy notice thereof to the honored Governor and Deputy-Governor; and that Captain James Oliver and Captain William Davis are hereby ordered forthwith to repair on board the said ships, and to acquaint those gentlemen, that this Court hath and doth by them present their respects to them, and that it is the desire of the authority of this place that they take strict order that their under officers and soldiers, in their coming on shore to refresh themselves, at no time exceed a convenient number, and that without arms, and that they behave themselves orderly amongst his Majesty's good subjects here, and be careful of giving no offence to the people and laws of this place; and invite them on shore, provision being made for their present refreshment." "The Court, being sensible of many distractions and troubles under which the country do labor in sundry respects, as also the sad estate and condition of God's people and interests in other places, do commend unto all the churches and people of the Colony . . . . . a solemn day of humiliation and prayer for the Lord's mercy to be towards us, and his gracious return to his people, according as we and they

1664. May 18.

[1] See above, p. 531.

may or do stand in need thereof." "Forasmuch as it is of great concernment to this Commonwealth to keep safe and secret our patent, it is ordered the patent, and duplicate, belonging to the country, be forthwith brought into the Court; and that there be two or three persons appointed by each House to keep safe and secret the said patent and duplicate, in two distinct places, as to the said committee shall seem most expedient; and that the Deputy-Governor, Major-General Leverett, Captain Clarke [Deputy for Boston], and Captain Johnson [Deputy for Woburn] are appointed to receive the grand patent from the Secretary, and to dispose thereof as may be most safe for the country." The train-bands in and near Boston were put in order. A tried officer, Captain Davenport, was placed in command of the Castle.[1] Having trimmed their vessel, the wakeful pilots awaited the storm.

[1] Mass. Rec., IV. (ii.) 101, 102, 104 – 106, 110. — It is curious to see that, at such a crisis, the Court not only transacted, with the usual pains-taking, the multifarious details of common business (Ibid., 100 – 116), but vindicated the authority of the Confederacy in respect to the controversy between Connecticut and New Haven. (Ibid., 102.) — By this Court, also, the boundary line between Massachusetts and Plymouth was established, as run by a joint commission of six persons appointed by the two Colonies. (Ibid., 114 – 116.)

CHAPTER XV.

Arrival of Commissioners from England. 1664. July 23.

At the close of a long summer day, as the Sabbath stillness in Boston was beginning,[1] two ships of war — the *Guinea*, carrying thirty-six guns, and the *Elias*, carrying thirty, — came to anchor off Long Wharf. They were the first vessels of the royal navy that had ever been seen in that harbor. Officers went on board, and brought back intelligence to the town, that the ships had sailed ten weeks before from England, in company with two others, — the *Martin*, of sixteen guns, and the *William and Nicholas*, of ten, — from which they had parted a week or two before in bad weather; and that the fleet conveyed three or four hundred troops, and four persons charged with public business. These were Colonel Richard Nicolls, Sir Robert Carr, Colonel George Cartwright, and Mr. Samuel Maverick.

It has been seen that, in the press of business which fell upon Lord Clarendon at the King's return, he did not overlook the importance of reducing to obedience those distant communities of Englishmen, in which the chief strength of Puritanism now resided.[2] At length, when

[1] Mass. Rec., IV. (ii.) 157.

[2] Henry Bennet had now just become one of the Secretaries of State. He succeeded Sir Edward Nicholas in that office, December 22, 1663. — In the State-Paper Office is an elaborate memoir on the subject of reducing the New-England Colonies, of which I presume Lord Clarendon to have been the author, though it is not in his handwriting. It is entitled, "Considerations respecting the Commission to be sent out." It recommends "that Commissioners, about the number of five, to be of a prudent and sober conversation [he had no taste for men like Scott], of several qualifications or professions, be sent, with limited instructions to some purposes, and powers less limited, the better to enable them to effect what is intended by his Majesty." And it points out special methods to

the charters to Connecticut and Rhode Island appeared to have sufficiently arranged some things and embroiled others, it was determined to send out Commissioners to take advantage of the opportunities which had been created, and, if possible, bring the aspiring colonists into subjection. Another business which had at the same time been in progress, while, for its own completion, it might conveniently be intrusted to the same hands, would also enable the court to enlist on its side some local resentments of long standing, and afford a reason for sending out a military force, which, in some case that might arise, would be useful to the Commissioners in pursuing the main object of their appointment. The King, reviving that claim to North America which his predecessors had founded on its discovery by the

be pursued by the Commissioners, agreeably to what were afterwards prescribed in their instructions. It is recommended that the agents to be sent shall proceed at first with caution and insinuation. The little they can obtain in this way "will give his Majesty a good footing and foundation for a further advance of his authority by new considerations and instructions to be framed here by such representations as shall be made upon the return of the Commissioners, or part of them, or letters from them." "It may be presumed that they will harden in their constitution, and grow on nearer to a commonwealth, towards which they are already well-nigh ripened, if, out of present tenderness, the attempt shall be neglected or deferred, whilst this and that government are at present under such and so many circumstances that look and promise fairly towards the effecting what is aimed at. If we consider present peace, present concurrence of patentees, present inclinations in the oppressed there, the present settlements in relation to the trades of the plantations, and no present obstacle, which is like to be more favorable hereafter, or that scarce any future accident or state of affairs can in any probability render the reduction of that doubtful people more feasible than at this point of time they may be found to be by the easy methods here proposed, which, being rather means of insinuation than of force, cannot put his Majesty's interests there into a much weaker condition than they are at present, should they fail of their effect, surely the attempt is prudent, seasonable, and necessary, and the success will be of so manifold advantage to his Majesty and his dominions, that they seem worthy of present pursuit."

Governor Pownall, if I mistake not, somewhere refers to Lord Clarendon as having pronounced the Colonies to have already "hardened into republics." I presume that Pownall had this paper in his mind.

Cabots, had lately given to his brother, James, Duke of York, all the country between the rivers Connecticut and Delaware, including Long Island, which Lord Clarendon had bought of Lord Stirling for his son-in-law. The Commissioners to New England were charged to take possession of that country for its new proprietor, and to require the Colonies to furnish military aid for this purpose. The grant to the Duke also conveyed to him the country between the rivers St. Croix and Kennebec.[1]

Patent to the Duke of York. March 12.

Nicolls, the principal Commissioner, was a man of honor. At the breaking out of the Civil War, when he was seventeen or eighteen years old, he gave up his studies at the University, and joined the King's standard, receiving the command of a troop of horse. While the royal family was in exile, he was attached to the person of the Duke of York, and served with him, first under Marshal Turenne, in the war of the Fronde, and afterwards under the Prince de Condé. At the Restoration, he was appointed one of the Duke's gentlemen of the bed-chamber; and now, when the lately constituted province, including New Netherland, should be reduced, he was to administer it as the proprietor's deputy.

1643.

Carr and Cartwright[2] proved themselves incompetent to the delicate business with which they were intrusted. In some respects Maverick was eminently qualified for

[1] For the Duke of York's patent see O'Callaghan, Documents, &c., II. 295. That part which relates to the boundaries has been printed by Trumbull (Hist., I. 266), and by Hough (Papers relating to the Island of Nantucket, &c., xiv., xv.).

[2] Sir Robert Carr, Bart., of Sleeford, Lincolnshire, married a sister of Sir Henry Bennett. (Collins, Peerage of England, Brydges's edit., IV. 129.) This connection may be thought to explain his appointment. Carr's daughter married John Hervey, first Earl of Bristol. (Ibid., 152.) Carr was a free liver. (O'Callaghan, Documents relative to the Colonial History of New York, III. 69, 94, 107.) "Sir Robert Carr's, where it seems people do drink high." (Pepys, Diary, III. 314.) — Of Cartwright's *antecedents* I know nothing. He was said in Boston to be a Papist. (O'Callaghan, Documents, &c., III. 94.)

it; in others, he was equally unfit. He knew perfectly the relations of the pending question. An inhabitant of New England before the charter government of Massachusetts was erected, he had watched, close at hand and with an intelligence sharpened by disaffection, the course by which that government had established, in all but the name, an independence of the parent country. No man better knew the strength or the weakness of that government. He would have been a more dangerous, had he been a less violent, enemy. With some excellent qualities, he had strong passions, and they had been stimulated in successive quarrels with the Magistrates. The Magistrates had made him remove from his island, when they were threatened by King Charles the First. They had fined and imprisoned him, when they were in alarm from the Presbyterian Parliament. At the Restoration, he lost no time in looking after his revenge; and the result was, that he was invested with ample powers for executing it, by being placed upon this commission.[1]

[1] See Vol. I. pp. 233, 395; also see above, pp. 168, 175. — Maverick had gone to England before the Restoration. (See above, p. 420.) The King seems to have been imposed upon, respecting him; — "You being strangers and without any interest or dependence there," &c. (Commission, in Hazard, II. 638; O'Callaghan, Documents, &c., III. 51.) Mr. Curwin, of Salem, met Maverick in London, in 1663 or 1664; and wrote home: "Mr. Maverick said, before all the company, that New England were all rebels, and he would prove them so, and that he had given in to the Council so." (Maine Hist. Coll., I. 301.) Lord Clarendon feared he would overdo his business: "If you should revenge any old discourtesies at the King's charge, and, as his Commissioner, should do anything upon the memory of past injuries, the King would take it very ill, and do himself justice accordingly." (Clarendon to Maverick, March 5, 1665, in O'Callaghan, Documents, &c., III. 92.) — The Commissioner, Samuel Maverick, has been commonly understood to be, not the primeval Maverick of Noddle's Island, but his son. But that question is positively settled the other way by a letter of Maverick's daughter, Mary Hooke, as well as by other considerations adduced by Mr. William H. Sumner, in his valuable History of East Boston (107, 155 – 157). On the other hand, I undoubtingly dissent from Mr. Sumner's opinion that Samuel Maverick was the son of the Reverend John Maverick of Dorchester. He founds it on an express assertion of Josselyn (Account of Two Voyages, &c., 252). But as to such a point, I cannot admit the testimony of that writer, (who was but a transient visitor at Boston,) impugned, as in this in-

Three days before the arrival of their associates at Boston, Maverick and Carr landed at Portsmouth on the Piscataqua.[1] There they still remained, when Nicolls and Cartwright, on the third day after disembarking, had a conference with the Magistrates. They presented a Letter addressed to the Governor by the King; his Commission to themselves; and a portion of the Instructions which were to guide their action under it.

1664. July 20.

The Letter declared one object of the embassy to be, to obtain information for the King's guidance in his endeavors to advance the well-being of his subjects in New England; another, to "suppress and utterly extinguish those unreasonable jealousies and malicious calumnies which wicked and unquiet spirits perpetually labored to infuse into the minds of men, that his subjects in those parts did not submit to his government, but looked upon themselves as independent upon him and his laws;" another, to compose such differences as existed upon questions of boundaries between different Colonies, — questions perhaps left on purpose to create a pretext for interfering; another, to assure the native tribes of his protection; another, to overthrow the usurped authority of the Dutch; and another, to "confer upon the matter of his former letter" sent by Bradstreet and Norton, "and their answer thereunto, ... of which he would only say that the same did not answer his expectations, nor [the] professions made by their messengers." The Letter required

Royal Letter to Massachusetts. April 23.

stance it is, more or less, by every other known fact bearing upon it.

[1] Maverick wrote immediately to Breedon, who was at Boston: "Two of our ships arrived here this afternoon. . . . . I shall desire you to repair to the Governor and Council, and advise them to take care how they dispose of such things as may be out of their bounds, and not fit for them to take cognizance of, his Majesty's Commissioners being at length come into these parts, of whom you know me to be one." (O'Callaghan, Documents, &c., III. 65.) Much as Maverick had had means of knowing of the "Governor and Council," he had not a little yet to learn. — "Mr. Samuel Maverick, on his first arrival in Piscataqua River, menaced the constable of Portsmouth while he was in the execution of his office." (Mass. Rec., IV. (ii.) 168.)

that it should be forthwith communicated to the Council, and, within twenty days, to a "General Assembly."[1]

The Commission, which was of two days' later date, gave authority to the persons therein named, or to any three of them, — or to any two, Colonel Nicolls being one and having a casting vote, — "to visit all and every the several Colonies" of New England, and "to hear and receive, and to examine and determine, all complaints and appeals in all causes and matters, as well military as criminal and civil, and proceed in all things for the providing for and settling the peace and security of the said country, according to their good and sound discretions, and to such instructions as they . . . . should from time to time receive."[2] Commission of the agents. April 25.

Of Instructions there were two sets, with the contents of both of which it is not improbable that the Governor of Massachusetts was acquainted; for it is certain that he had means of obtaining secret intelligence.[3] One of these papers abounded in professions of the respect and friendship entertained by the King for that Colony. It directed the Commissioners (with the help of maps, with which they were to require the authorities to furnish them) to define the lines of boundary of the several chartered jurisdictions, subject, however, to the approval of the King; — to give redress to any native princes who had been injured; — to report "what progress had been towards the foundation and maintenance of any college or schools for the education of Their Instructions.

[1] Hazard, II. 634.

[2] Ibid., 638.

[3] "The copy of his Majesty's signification to the Massachusetts Colony was surreptitiously conveyed over to them by some unknown hand, before the original came to Boston; and formerly the very original of Mr. Maverick's petition to the King and Council concerning the Massachusetts Colony was stolen out of the Lord Arlington's office in Whitehall by one Captain John Scott, and delivered to the Governor and Council at Boston. This I affirm positively to be true, though, when I questioned Scott upon the matter, he said a clerk of Mr. Williamson's gave it him." (Letter of Nicolls to Morrice, in O'Callaghan, Documents, &c., III. 136.) The purloiner could have been no other than the versatile Long-Island knave. (See above, p. 564, note.)

youth, and in order to the conversion of infidels;" — to be cautious and lenient in the treatment of "accusations against those who were, or had been, in place of government," but, in cases well avouched, to "proceed in examination and determination according to the rules of justice, without any respect to persons;" — to urge a compliance with the King's requisitions made two years before, reserving this application, however, till they should "have entered into a good conversation and acquaintance with the principal persons;" — to inquire whether any persons attainted for high treason were now within the Colony, or had "been entertained and received there," and to apprehend such persons if they could be discovered; — to "take care that such orders were established there that the Act of Navigation should be punctually observed;" — and to send home a detailed report of the frame and constitution of the local government in church and state, of the amount and methods of taxation, of the tonnage, the military force, and the walled or fortified places, with other particulars of information illustrative of the condition and resources of the people.[1]

The other set of Instructions to the Commissioners was "to be considerated and communicated only between themselves." "The main end and drift of your employment" — such is the statement with which it begins — "is to inform yourselves and us of the true and whole state of those several Colonies, and by insinuating yourselves by all kind and dextrous carriage into the good opinion of the principal persons there, that so you may (after a full observation of the humor and interest both of those in government, and those of the best quality out of government, and generally of the people

[1] O'Callaghan, Documents, &c., III. 51 – 54. — Some fear is indicated in the Instructions (Ibid. 51) of the power of Massachusetts to foment discontents in England. The court was cautious by reason of apprehensions from the designs of the Dutch, and of the opposition at home.

themselves) lead and dispose them to desire to renew their charters, and to make such alterations as will appear necessary for their own benefit." The Commissioners were to acquaint themselves minutely with the existing charters, ascertain in what particulars they had been disregarded, and obtain "a general consent and desire" for amendments. In communications with unofficial persons, as well as in transactions with those in authority, they were to proceed with great circumspection according to special directions which were given. "Designs of profit" would be premature, and "should not be affected further . . . . . than to settle some annual tribute of the growth of the country, as masts, corn, and fish," for a royal revenue. Two objects are specified as peculiarly entitled to attention. "Besides the general disposing the people to an entire submission and obedience to our government, ... and leading them to a desire to renew their charters, ... there are two points we could heartily wish should be gained upon them; the first, that we may have the nomination of the Governor . . . . . or approbation; the other, that the militia should be put under an officer nominated or recommended by us. . . . . But how to approach to these two points we cannot tell, but must leave it to your skill and dexterity. . . . . In the mean time, we should look upon it as a good omen, if they might be so wrought upon at the General Assembly, as that Colonel Nicolls might be chosen by themselves for their present Governor, and Colonel Cartwright for their Major-General."[1]

"After all ceremonies were performed, and in the first place of all business," explanations were to be made to the Magistrates of the necessity "of reducing the Dutch" in their neighborhood; and they were to be desired to give "their advice and concurrence,"[2] and to

[1] O'Callaghan, Documents, &c., III. 57 – 61. [2] Ibid., 52.

assist with such a number of men, and all other things, as were necessary thereunto." Accordingly, no part of the Instructions was at this time communicated to the Court, except what related to taking possession of New Netherland.

For the present, the Commissioners only proposed to the Magistrates to raise "such a number of men armed as they could spare," to march within four weeks, if they should be needed, for the conquest of the Dutch Colony.

Proceedings of the General Court. July 27.

The next day, the Magistrates replied in writing, that they had taken measures to bring together the General Court within a week, in order to obtain "their advice, assistance, and concurrence." "The Commissioners manifested themselves not well satisfied with the Council's act, and informed the Governor and Council that there was yet many more things which they had in charge from his Majesty to signify to them, which work they would attend at their return from the Manhadoes; and commended to the Court, that, in the mean time, they would further consider of his Majesty's letter" to the Colony, brought by Bradstreet and Norton two years before.

Aug. 3.

The General Court accordingly came together, and the matters proposed "were at large debated; . . . . . the result whereof was, that the Court did express and declare that it was their resolution, God assisting, to bear faith and true allegiance to his Majesty, and to adhere to their patent, the duties and privileges thereof, so dearly obtained, and so long enjoyed by undoubted right in the sight of God and men."[1]

They passed an order calling for two hundred volunteers, and providing for their organization and supply.[2]

[1] Mass. Rec., IV. (ii.) 157 – 166.

[2] Ibid., 119, 120. — The Dutch had been not without hopes that they would refuse to do this. "His Royal Majesty of Great Britain, being inclined to reduce all his kingdoms under one form of government in Church and State, hath taken care that Commissioners

Proceeding to consider the King's former letter, they repealed the law which exclusively associated the franchise with church-membership; superseding it, however, by another, of which the practical operation would not be materially different. The new provision was, that "from henceforth all Englishmen, being twenty-four years of age, householders, and settled inhabitants," and "presenting a certificate under the hands of the ministers or minister of the place where they dwelt, that they were orthodox in religion, and not vicious in their lives, and also a certificate under the hands of the selectmen of the place, or of the major part of them, that they were freeholders, and were . . . . . ratable to the country . . . . . to the full value of ten shillings," should have the same right as church-members "to present themselves and their desires to the Court for their admittance to the freedom of the Commonwealth, and be allowed the privilege to have such their desire propounded and put to vote in the General Court." Few persons, not members of some church, paid so high an annual rate as ten shillings; the new law gave the churches, through their ministers, a decisive power in the selection of freemen; and the abrogation, at the same time, of a rule which had allowed County Courts to bestow the franchise on qualified persons, restored the exclusive exercise of that prerogative to the General Court.[1] Lastly, a committee was raised, consisting of Francis Willoughby, Major-General Leverett, and Jonathan Mitchell, minister of Cambridge, "to prepare and

are ready in England to repair to New England to install bishops there, the same as in Old England. We believe that the English of the North, who mostly left England for the aforesaid causes, will not give us henceforth so much trouble, and will prefer to live under us with freedom of conscience, rather than risk that in order to be rid of our authority, and then again to fall under a government from which they formerly fled." (Letter of the Directors at Amsterdam to the Directors and Council of New Netherland, April 21, 1664, in O'Callaghan, Documents, &c., II. 235.)

[1] Mass. Rec., IV. (ii.) 117, 118, 167, 168.

draw up a petition for the continuance of the privileges granted by charter, filled with such rational arguments as they could find to the end aforesaid."[1]

The petition, after more than two months spent in its preparation, was adopted at a special meeting of the General Court. With moving eloquence it set forth the sacrifices by which the liberties hitherto possessed by Massachusetts had been purchased, and urged the injustice of encroachment on them. "This people," it represented, "did at their own charges transport themselves, their wives and families, over the ocean, purchase the lands of the natives, and plant this Colony with great labor, hazards, costs, and difficulties; for a long time wrestling with the wants of a wilderness, and the burdens of a new plantation; having also now above thirty years enjoyed the aforesaid power and privilege of government within themselves, as their undoubted right in the sight of God and man." Oct. 19.

In respect to the King's letter brought by Norton and Bradstreet, the Court said: "We have applied ourselves to the utmost to satisfy your Majesty so far as doth consist with conscience of our duty towards God, and the just liberties and privileges of our patent. . . . . But now," they continued, "what affliction of heart must it needs be unto us, that our sins have provoked God to permit our adversaries to set themselves against us, by their misinformations, complaints, and solicitations, (as some of them have made that their work for many

[1] Mass. Rec., IV. (ii.) 119. — Francis Willoughby, of Charlestown, became a freeman, May 3, 1640. (Ibid., I. 376.) In 1642, 1646, and 1649, he was a Deputy. (Ibid., II. 22, 145, 264.) In 1648 he was in London, and there had a passage with the Presbyterian Dr. Child. (See above, p. 178; comp. Winthrop, II. 322.) In 1650, he was promoted to be an Assistant. (Mass. Rec., III. 182.) — Jonathan Mitchell ("the *matchless*") came to Boston from Yorkshire in 1635, then a boy. (Winthrop, I. 164.) He graduated at Harvard College in 1647, and succeeded Shepard as Pastor of the church in Cambridge in 1650. Mather (Magnalia, IV. 166 *et seq.*) has written of his life and character at length.

years,) and thereby to procure a commission under the great seal, wherein four persons (one of them our known and professed enemy) are empowered to hear, receive, examine, and determine all complaints and appeals in all causes and matters, as well military as criminal and civil, and to proceed in all things for settling this country according to their good and sound discretions, &c.; whereby, instead of being governed by rulers of our own choosing (which is the fundamental privilege of our patent) and by laws of our own, we are like to be subjected to the arbitrary power of strangers, proceeding, not by any established law, but by their own discretions. . . . . .

"If these things go on (according to their present appearance), your subjects here will either be forced to seek new dwellings, or sink and faint under burdens that will be to them intolerable; the vigor of all men's endeavors in their several callings and occupations (either for merchandise abroad, or further subduing this wilderness at home) will be enfeebled, as we perceive it already begins to be; the good work of converting the natives obstructed; the inhabitants driven to we know not what extremities; and this hopeful plantation in the issue ruined. . . . . .

"We perceive there have been great expectations of what is to be had here, raised by some men's informations; but those informations will prove fallacious, disappointing them that have relied upon them. And if the taking of this course should drive this people out of the country (for to a coalition therein they will never come), it will be hard to find another people that will stay long, or stand under any considerable burden in it, seeing it is not a country where men can subsist without hard labor and great frugality. . . . . .

"Sir: The all-knowing God he knows our greatest ambition is to live a poor and a quiet life, in a corner of

the world, without offence to God or man. We came not into this wilderness to seek great things to ourselves; and, if any come after us to seek them here, they will be disappointed. We keep ourselves within our line, and meddle not with matters abroad. A just dependence upon, and subjection to, your Majesty, according to our charter, it is far from our hearts to disacknowledge. ..... And, should Divine Providence ever offer an opportunity wherein we might, in any righteous way, according to our poor and mean capacity, testify our dutiful affection to your Majesty, we hope we should most gladly embrace it. But it is a great unhappiness to be reduced to so hard a case, as to have no other testimony of our subjection and loyalty offered us but this, viz. to destroy our own being, which nature teacheth us to preserve, or to yield up our liberties, which are far dearer to us than our lives. .....

"Royal Sire: It is in your power to say of your poor people in New England, they shall not die. If we have found favor in the sight of our King, let our life be given us at our petition (or rather that which is dearer than life, that we have ventured our lives, and willingly passed through many deaths, to obtain); and our all, at our request. Let our government live, our patent live, our magistrates live, our laws and liberties live, our religious enjoyments live; so shall we all have yet further cause to say from our heart, 'Let the King live forever;' and the blessing of them that were ready to perish shall come upon your Majesty, having delivered the poor that cried, and such as had none to help them."[1]

[1] Mass. Rec., IV. (ii.) 129. — The Court, at the same time, wrote to Robert Boyle (Hutch. Coll., 388); to Lord Clarendon (Hutch. Hist., I. 464); and to Secretary Morrice, whom they entreated to be their advocate before the Privy Council. — Hull feared that the Court had been too stiff. "Some ..... were such as looked at this place as a State independent." (Diary in Archæol. Amer., III. 213.) — Before breaking up, the Court appointed a Fast-Day (Mass. Rec., IV. (ii.) 135); which, as the reader knows, was to

Meanwhile, "the Commissioners, departing from Boston immediately before the sitting" of the former of these two General Courts, had proceeded by sea towards New Amsterdam. Stuyvesant had had early intelligence of the expedition, and had made some arrangements for defence, in which, however, he was embarrassed by the alarm and disaffection that prevailed within the town. The English fleet appeared in the Narrows, having on board the Commissioners, who had been joined by Winthrop from Connecticut, and by two officers, sent from Massachusetts with a report of the military preparations there.[1] Cartwright, with a party, carried up a summons for the surrender of the fort and town, with a proclamation which promised the protection of private property, and the continuance of the existing forms of administration. The Governor would have held out, but he could not rouse the spirit of his people. The ships moored off the battery, and a camp of volunteers from Connecticut and Long Island was formed on the opposite shore. The municipal authorities, the ministers, and the officers of the town militia, united in a remonstrance against the rashness of an attempt to resist. The Governor said he would die rather than surrender; but, the citizens refusing to be enrolled, and his hundred and fifty regular troops becoming mutinous, nothing remained for him at last, but to treat for a capitulation. His six Commissioners, appointed for that purpose, were met by Carr and Cartwright, Winthrop and Willis from Connecticut, and Clarke and Pynchon, the messengers to Nicolls from Massachusetts. Easy terms were granted. On the third following day,

Expedition against New Netherland. July 8.

Aug. 20.

Aug. 23.

Aug. 26.

Surrender of New Amsterdam. Aug. 29.

call out the whole people, men, women, and children, in their several neighborhoods, to be instructed and excited, as to public affairs, by the discourses and prayers of their ministers.

[1] Mass. Rec., IV. (ii.) 123, 124.

Nicolls took military possession of the town, and was proclaimed Deputy-Governor of *New York*, as the place was now named.[1] Cartwright sailed up the river, and received the surrender of Fort Orange, thence-forward called *Fort Albany*, from the second ducal title of the King's brother. Carr, with two ships, proceeded to the South River (the Delaware), and, after some proceedings in accordance with his violent and rapacious character, reduced the feeble posts in that quarter.[2] What is now New Jersey was called *Albania*, and Long Island received the name of *Yorkshire*. New Netherland was effaced from the map. British America extended along the coast from Labrador to Florida.[3]

Sept. 10.

The new state of things enforced a settlement of the dispute between Connecticut and New Haven. Not only was that circuit of alien towns, by which New Haven had long been almost surrounded, now made complete, but, if the last royal grant of the southwestern region of New England should take effect, the whole of New-Haven Colony, and all of Connecticut except what lay on the eastern side of the river of that name, would be taken to constitute a broad plantation for the Popish Duke of York. A peaceable union between the two Colonies would afford to both a hope of escape from this doom. A continued collision, provoking the resentment of the home government, and supplying a specious excuse for its peremptory interference, would involve them in a common loss of all for which hitherto they had striven with each other. For New Haven, at all events, it seemed that nothing remained except the choice between sub-

Arrangements for the junction of New Haven with Connecticut.

[1] The population of the place at this time is estimated at fifteen hundred souls. (Brodhead, History, I. 741.)

[2] Carr had already incurred Nicolls's displeasure. (O'Callaghan, Documents, &c., III. 69.)

[3] In Hume's judgment, "the acquisition of New York, a settlement so important by its situation, was the chief advantage which the English reaped from the war." (Hist., Chap. LXIV.)

mission to Connecticut and submission to New York. Mr. Whiting, a Magistrate of Connecticut, was at Boston when the Commissioners arrived. The disclosures soon made there of their characters and designs caused him to be hurried back to Hartford to urge the indispensableness of an instant accommodation. Thence with Mr. Bull, a military officer, he was despatched immediately to New Haven on that errand. A General Court was at once convened there. After sorrowful debate, a majority of the Court came to the conclusion that a longer conflict was hopeless. Yielding to the necessity, they saved their pride by a vote in these words: "That, if they of Connecticut come, and make a claim upon us in his Majesty's name and by virtue of their charter, then we shall submit to them until the Commissioners of the Colonies do meet."[1] Aug. 11.

The Federal Commissioners for this year assembled at Hartford. Commissioners from New Haven appeared as usual, and, notwithstanding a remonstrance from Connecticut, were admitted to their seats. It was a gloomy meeting. Little business was done. Probably under the influence of Massachusetts, advice was given to the General Courts of the several jurisdictions, on receiving notice of a visit from the royal Commissioners, to send information of it to the other Colonies, "to the end that, if they saw meet, they might send their Commissioners invested with full power to advise and act in any case that might be of common concernment to the whole." But this recommendation proved fruitless. As to "the difference still depending between Connecticut and New Haven," the Federal Commissioners declared their opinion to be unaltered "as to the right of the cause, ... yet, considering how much the honor of God, and as well the weal of all the Colonies as themselves, therein not interest, were concerned in the Sept. 1.

[1] N. H. Rec., II. 544–546.

issue thereof, they did heartily and affectionately commend to their loving confederates, that such a compliance might be between them whereby the sad consequences that would inevitably follow upon their further contentions one with another might be prevented." And, "for the removing of obstructions," it was proposed that, if a union between New Haven and Connecticut should be consummated, two Commissioners should thenceforward represent the one Colony thus created, and that the consenting vote of four out of six members of the Federal Congress should thenceforward have the same conclusive force, as had been secured by the original Articles to a majority of six votes in eight. A vote that thenceforth the Commissioners should meet but once in three years,[1] while it deferred the hard question respecting the relations between the western Colonies, was a significant symptom of the conviction which had grown of the decline of the power of the Confederacy.

Sept. 14 Governor Leete convoked a General Court, and invited them to consider whether it was best for their constituents that the royal Commissioners, from whom a visit was presently expected, should find them in their separate condition, or united to the neighbor Colony. "There was much debate, and divers spake, that to stand as God had kept them hitherto was their best way." The final surrender was still a measure too painful to be taken; "the Assembly was broke up, and no more done at this time."[2]

Oct. 13. The General Court of Connecticut commissioned Samuel Sherman and John Allyn to repair to the several towns of New Haven Colony, and, "in his Majesty's name, to require all the inhabitants to submit to the government established by his Majesty's gracious grant." They were further authorized to declare all the freemen of those

[1] Records, &c., in Hazard, II. 496, 497; comp. N. H. Rec., II. 546, 547.
[2] N. H. Rec., II. 547, 548.

towns to be thenceforth freemen of Connecticut, when they should have taken the freeman's oath; — "to make as many freemen as they should, by sufficient testimony, find qualified;" — to announce the appointment of Leete, Jones, Gilbert, and other principal citizens of New Haven Colony, to exercise "magistratical power" for Connecticut in their respective towns; — and, in case any of the persons so designated should decline to act, then to select and establish suitable substitutes.

To propitiate the royal Commissioners, an order was passed for making them a present of five hundred bushels of corn. Winthrop and Allyn, with three associates, were sent to argue before them at New York the question of the southern and western limits of the new Colony.[1] Their decision was, that "the southern bounds of his Majesty's Colony of Connecticut is the sea, and that Long Island is to be under the government of his Royal Highness the Duke of York;" and "that the creek or river called Momoronook, which is reputed to be about twelve miles to the east of West Chester, and a line drawn from the east point or side, where the fresh water falls into the salt at high-water mark, north-northwest to the line of the Massachusetts, be the western bounds of the said Colony."[2]

Annexation of Long Island to New York. Nov. 30.

To this there could be only one sequel, in respect to New Haven Colony. Another General Court was held. Milford and Stamford had now fallen off.[3] Only the towns of New Haven, Guilford, and Branford remained to represent the dismembered jurisdiction. "The freemen and other inhabitants," who were as-

Dec. 13.

[1] Conn. Rec., I. 437.

[2] Trumbull, I. 525. — Connecticut had claimed the whole of Long Island, as being "one of those adjoining islands" referred to in the charter. (Conn. Rec., I. 427.)

[3] N. H. Rec., II. 544, 549, 550, note.

sembled, passed the following votes: — "1. First, that by this act or vote we be not understood to justify Connecticut's former actings, nor anything disorderly done by our own people upon such accounts. 2. That by it we be not apprehended to have any hand in breaking or dissolving the Confederation. Yet in testimony of our loyalty to the King's Majesty, when an authentic copy of the determination of his Commissioners is published, to be recorded with us, if thereby it shall appear to our committee that we are by his Majesty's authority now put under Connecticut patent, we shall submit, as from a necessity brought upon us by the means of Connecticut aforesaid, but with a *salvo jure* of our former right and claim, as a people who have not yet been heard in point of plea."[1]

A letter was written to Connecticut; it brought out a reply; which was met by a rejoinder.[2] These papers, amicable on the whole, though not without a tinge of the recent bitterness, concluded the controversy; — and New-Haven Colony was no more.

Dec. 14, 21. 1665. Jan. 5.

The General Court of Connecticut — now the government of the consolidated Colony — was constituted on the new basis in the following spring. Deputies appeared from the towns of New Haven, Milford, Guilford, Stamford, and Branford.[3] Branford, however, could not be brought to terms; and the inhabitants, with their minister, Mr. Pierson, presently removed to Newark, in what is now New Jersey. Leete, Jones, Fenn, and Crane, lately Magistrates of the disbanded Colony, were chosen Assistants of Connecticut; Gilbert, the Deputy-Governor, though proposed as an Assistant, was passed over; he was perhaps esteemed too impracticable.[4]

Union of Connecticut and New Haven. May 11.

Nicolls was detained at New York by the business

[1] N. H. Rec., II. 551.
[2] Ibid., 552–557.
[3] Conn. Rec., II. 13; comp. I. 439.
[4] Ibid., II. 13, 14.

of his new government. Carr lingered by the Delaware, pursuing his own schemes, while the other two Commissioners, being without authority to transact alone the further business on their hands, were impatiently awaiting him in Boston.[1] At length he joined them; and, in an interview at the Governor's house, they told the Magistrates that they were going for a little time to Plymouth, "and further signified their desire that order might be taken for the assembling of all the inhabitants at the day of the election, that so they might understand his Majesty's grace and favor to them; and that, at their returns, some might be appointed to go along with them, to show them the bounds of the patent. To the latter of which proposals the Magistrates promised a ready compliance. . . . . To the former it was answered that all were at their liberty to come if they would; there was no prohibition;" but that the Magistrates "could not encourage to it, not only for the business of the season, but leaving a considerable part of the people, wives, children, and aged persons, to the rage of the natives. . . . . Colonel Cartwright replied, that the motion was so reasonable, that he that would not attend it was a traitor." But this ill-temper availed nothing; and, as the next best way of obtaining the advantage of addressing an assembly of the whole people, — freemen and others alike, — the Commissioners distributed a circular letter in different parts of the Colony, inviting the persons addressed to be at Boston with their neighbors on the approaching day of annual election.[2] They then set off for Plymouth.

Meeting of Royal Commissioners at Boston. Feb. 4. Feb. 15.

Feb. 17.

[1] O'Callaghan, Documents, &c., 83, 84, 87, 89.

[2] Mass. Rec., IV. (ii.) 173, 174. — "I cannot conceive how it is possible for us to get a good election made for the next General Assembly. . . . . I think it will be best for us to take all the best courses we can, and I know none yet besides writing to several friends to desire all the country to come in

The Commissioners were to have no further dispute with Endicott. He was old, and had been for some months becoming infirm; and at the end of four weeks after this conference he died.[1] Personally he was lamented with sincere affection. His honesty, frankness, fearlessness, and generous public spirit had won their proper guerdon in the general esteem. Thoughts at once tender and invigorating were awakened by his death; for he had been the contemporary of all who had created New England; he had been longer on the soil than any considerable person, not only among the associates of his last years, but also among those who had fallen by his side; during a long time he had been one of very few who could tell what their eyes had seen of the famine and sickness that had emptied the first dwellings raised at Salem. In some sense, he might fitly be called the father of Massachusetts rather than any other man. He it was that first engaged, in England, to plant a colony of Englishmen within her borders. He conducted to her shore the first band of emigrants that numbered so many as three scores of men. He drove Episcopacy from her domain, when the harboring of Episcopacy might have been fatal; and he took a decisive part in the

Death of Governor Endicott. March 15.

at the next Court of Election, which will be in the beginning of May, that we may communicate to them what the King hath given us in command, and then to deal with them as well as we may." (Letter of Cartwright to Nicolls, February 4, 1665, in O'Callaghan, Documents, &c., III. 87.) Maverick made himself particularly offensive at this time. In the Massachusetts Archives (CVI. 139) is an affidavit of Captain James Oliver and Mary his wife, in which they report some of Maverick's violent language; for instance, that he "said we were both rebels and traitors for minting money and printing;" and that "we should know that they [the Commissioners] were the men we were to obey." (Comp. Mass. Archives, CVI. 125.)

[1] "15th of 1st, '64–5. Our honored Governor, Mr. John Endicott, departed this life; — a man of pious and zealous spirit, who had very faithfully endeavored the suppression of a pestilent generation, the troublers of our peace, civil and ecclesiastical, called Quakers. He died poor, as most of our rulers do, having more attended the public than their own private interests." (Hull, Diary, in Archæol. Amer., III. 215.)

primitive arrangement of her ecclesiastical constitutions. If, near the beginning of his honorable career on this continent, he had fallen into occasional imprudences, creating anxiety, or even meriting displeasure, no deception, or cowardice, or sordidness was ever laid to his charge; if — unused to flinch, or retract, or compromise — he did not know how to be lenient to interloping Quakers, it was plain that he understood himself to be only severe in the assertion of an absolute right, and the needful exercise of a public guardianship; nor, for the last sixteen years of his long life, did the people doubt whether their Commonwealth might be safely intrusted to the keeping of his integrity, resolution, and good sense. Undoubting in faith and heartily devout, but otherwise a man of action much more than of sentiment, his life-long purpose of unreserved obedience to God, and active usefulness to man, was vigorous and buoyant. When the cross of St. George came to seem to him a Romish abomination, he tore it from the ensigns which were to be borne against the heathen, with a hand not a whit the less ready, either because England had lifted it for ages in victorious fields, or because to offer it insult might bring on his own head the penalty of treason. The difficulties of the last part of his public career were great; and he passed through them free from the reproach, not more of timidity, than of any other kind of selfishness. Neither the impetuosity of his character, nor any weak self-conceit, prevented him from securing the advantage of good counsel. He knew his place, and did not hesitate to claim it; but he knew it too well to be envious of a superior, or jealous of rivals. It can scarcely be said that he would have been competent to the great function of Winthrop in laying the foundations of the State; nor, when he was taken away at one of its most threatening crises, was his presence found in-

dispensable to its safety. But New England, when she counts up the benefactors eminently worthy of her grateful and reverent remembrance, can never omit his name.[1]

The Commissioners thought it prudent to attempt to secure the smaller Colonies, before they should undertake the decisive contest with Massachusetts.[2] New Haven was no more a power. Opposition was not to be apprehended from Connecticut, conciliated as she was, on the one hand, to the King by the annexation of the neighboring Colony, and apprehensive, on the other, of losing all her western towns to enlarge the new province of the Duke of York.[3] At Plymouth, whither they now proceeded, they conducted themselves with moderation, and experienced no difficulty. They

[1] "A fit instrument to begin this wilderness work; of courage bold, undaunted, yet sociable and of a cheerful spirit, loving and austere, applying himself to either, as occasion served." (Wonder-working Providence, Chap. IX.) Endicott was brother-in-law of Ludlow (Endicott, Life of Endicott, 12); and his son, as did a son of Dudley, married a daughter of Winthrop (Ibid., 108). He died at Boston, having removed thither from Salem about the year 1655. His house stood upon the hill lately levelled into Pemberton Square. In his last year, the Commissioners were instructed to endeavor to have him superseded as Governor. "His Majesty will take it very well, if, at the next election, any other person of good reputation be chosen in the place, and that he [Endicott] may no longer exercise that charge." (Letter of Secretary Morrice, in Hutch. Coll., 392.)

[2] "I do think it will be better to begin at Connecticut, and to despatch the other three Colonies before this [Massachusetts]. For, if we have good success there, it will be a strong inducement to these to submit also to his Majesty's Commission; and if these [Massachusetts] should any way oppose us, it would be an ill precedent to the other." (Letter of Cartwright to Nicolls, February 4, 1665, in O'Callaghan, Documents, &c., III. 87). This policy had been sketched in the "Considerations," &c. (See above, p. 578, note 2.) "Until ..... some apparent inclination towards a compliance shall discover itself in Boston or the other lesser corporations, no applications or demands should be made to them, because they else may be moved thereby to mingle or intermeddle with the proceedings of the Commissioners in the other Provinces."

[3] Disaffection, however, was not wanting in Connecticut. On the 14th of September, 1664, a letter from William Morton, of New London, was read to the Privy Council, representing that "treasonable words" had been "spoken by several persons there." And instructions were directed to be sent to the royal Commissioners to make inquiry, and take measures "for vindication of his Majesty's honor." (Journal of the Privy Council.)

presented the King's letter,[1] and made four proposals. These were: — 1. That all householders should take the oath of allegiance, and that justice should be administered in the King's name; — 2. That "all men of competent estates and civil conversation, though of different judgments, might be admitted to be freemen, and have liberty to choose and be chosen officers, both civil and military;" — 3. That "all men and women of orthodox opinions, competent knowledge, and civil lives, not scandalous," should be admitted to the Lord's Supper and have their children baptized, either in the churches already existing, or in congregations of their own; — 4. That "all laws, and expressions in laws, derogatory to his Majesty," should be "repealed, altered, and taken off from the file." These proposals were the same as those which had occasioned such consternation in Massachusetts, when communicated through Norton and Bradstreet.[2]

Operations of the Commissioners at Plymouth. Feb. 22.

To the first, the second, and the fourth of them the Court of Plymouth readily gave its assent, adding, as to the first two, that they accorded with former practice, and, as to the other, professing ignorance of the existence of any objectionable matter of the kind described. The third was likewise conceded; but with the explanation, that none should "withdraw from paying their due proportions of maintenance to such ministers as were orderly settled in the places where they lived, until they had one of their own, and in such places as were capable of maintaining the worship of God in two distinct congregations."[3] When the King was informed of the "dutiful-

[1] It is in Morton's Memorial, 312.

[2] See above, p. 527.

[3] Plym. Rec., IV. 85, 86. — Being advised of what the Court had done, Cartwright wrote: "We desire, that, when you send us your assent to the third proposition, you will let it and the other three be fairly written together, that they may be present to his Majesty; and that, at the end of them, you would add something to this purpose, that the Articles of Confederation, when the Four Colonies entered into an offensive and defensive

ness and obedience" of the people of Plymouth, he wrote them a letter of commendation. "Your carriage," he said, "seems to be set off with the more lustre, by the contrary deportment of the Colony of the Massachusetts, as if, by their refractoriness, they had designed to recommend and heighten the merit of your compliance."[1] The Commissioners made some suggestion "in reference unto the manner of choice of the Governors of this jurisdiction, and in reference unto an Address to be made to his Majesty for the renewal of the patent;" but the consideration of these questions was postponed by the freemen, and was not for the present resumed. They did not like the conditions, which were hinted at, of a more direct responsibility to the government in England, and "preferred to remain as they were."[2]

June 7.

In the settlements on Narragansett Bay, whither the Commissioners next proceeded, they were looked for with affectionate expectation.[3] The planters at Warwick flattered themselves that their hour for revenge had come, and they lost no time in approaching the deliverers. In an "humble petition of Samuel Gorton, Randall Holden, John Weeks, and John Greene, in behalf of themselves and others," the early transactions between them and Massachusetts were narrated in

March 4.

league, neither did, nor shall, oblige you to refuse his Majesty's authority, though any one, or all the other three, should do so." The object was to confirm the King's "good opinion of their loyalty," who, it was said, had been informed "that that union was a war combination made by the Four Colonies, when they had a design to throw off their dependence on England, and for that purpose." (Mass. Hist. Coll., V. 192.) If Plymouth did what Cartwright proposed (Hutchinson, I. 215, note), she did not stain her records with it. The demand may have influenced her action when, soon after, she proposed to Massachusetts a dissolution of the Confederacy. (Plym. Rec., IV. 92.)

[1] The letter, dated April 10, 1666, has been printed by Hutchinson (Hist.) I. 466).

[2] Plym. Rec., IV. 92.

[3] Clarke, after twelve years' absence, returned to Rhode Island from England, June 7, 1664, six weeks before the arrival of the Commissioners at Boston. (Backus, I. 349; Arnold, I. 309, 310.) Clarke and two others had gone to New York in October, 1664, and had there waited upon the Commissioners with a congratulatory address.

detail, and the Commissioners were entreated to "please to take their distresses into their Honors' breasts," and cause "some responsible and correspondent satisfaction" to be made.[1] All of the Commissioners had before this time made hasty visits to Rhode Island, except Nicolls; and to him the Governor and Deputy-Governor had written with the most profuse assurances of devotion to the King, and deferential supplications for the favor of his representatives.[2]

The Commissioners in the Narragansett country. Feb. 3.

Their enthusiastic loyalty gained them little indulgence. The Commissioners were acquainted with the cession of the Narragansett country to the King, procured twenty years before by Gorton and his company.[3] They made a prompt and peremptory use of this advantage. Cutting the knot of the questions pending between Massachusetts, Connecticut, and Rhode Island for the possession of that territory, they took it away from all the claimants. "We," they proclaimed, "his Majesty's Commissioners, have received them [the Narragansett Indians] into his Majesty's protection, and do, in his Majesty's name, order, appoint, and command, that the said country henceforward be called *the King's Province*, and that no person, of what Colony soever, presume to exercise any jurisdiction within this the King's Province, but such as receive authority from us under our hands and seals, until his Majesty's pleasure be further known." They declared the Paucatuck River to be the western boundary of the new province, and decreed that the Atherton Company should relinquish its lands on the repayment by the Indians of the purchase money. As a provisional arrangement, they authorized the Magistrates of Rhode Island to administer "the

March 20.

April 8.

[1] Mass. Rec., IV. (ii.) 253 – 255.

[2] R. I. Rec., II. 86 – 89 (comp. 91, 92). — It is odd to see Benedict Arnold's hand to such complaints against Massachusetts as this letter conveys. See above, pp. 123 *et seq.*

[3] See above, p. 136.

King's Province" till the royal pleasure should be known.[1] The Indian, Pomham,[2] was another party concerned in these determinations. To gratify the town of Warwick, the Commissioners ordered him to remove, after the next harvest, either within the line of Massachusetts, or to some place to be granted to him by Pessacus; — a step to which with difficulty he was brought, by a present of forty pounds, to consent. The Apostle Eliot interposed modestly with Carr in Pomham's behalf, and received a tart reply. Roger Williams, venturing on an intercession for delay, was more respectfully treated. Williams sweetened his remonstrance by writing to the Commissioner: "Your Honor will never effect by force a safe and lasting conclusion, until you have first reduced the Massachusetts to the obedience of his Majesty; and then these appendants, towed at their stern, will easily, and not before, wind about also."[3]

April 7.

The three Commissioners went next to Connecticut, where they made the same requisitions as had been complied with by Plymouth; and in this quarter also they received a satisfactory reply.[4] The demand relating to the conditions of citizenship

The Commissioners in Connecticut.

April 20.

[1] R. I. Rec., II. 59, 60, 93, 95.

[2] See above, p. 123.

[3] R. I. Rec., II. 132–138. — The business was not brought to a conclusion till the spring of 1666. — "I desire you to take notice," wrote Carr to Eliot (February 28, 1666), "that I judge the persons employed in the affairs of the King's Province were well satisfied concerning his Majesty's royal and beneficent affections towards the Indians, and will, I doubt not, in observance thereof, continue, as they have in some measure begun, to take care, as in duty they are bound, to let them understand the same, though yourself had not taken upon you to be director. ..... Your and others' interposings wherein you and they are not concerned, as though we were not able to order the King's affairs in these parts, without your advice and direction," &c. (Ibid., 135.) Unwonted language to be read by the honored correspondent of Robert Boyle. — Williams could no more favorably describe his clients than as "a barbarous scum and offscourings of mankind." (Ibid.) Writing to Lord Arlington of Williams's letter, Carr mentions him as "an ancient man, one (I think) that meant none ill in sending it." (Ibid., 137.)

[4] Conn. Rec., I. 439, 440. — In the communication to Connecticut the phraseology of the third proposal was

was not in opposition to any existing theory or rule of Connecticut. The demand relating to ecclesiastical privileges had been favored in advance by the action of the recent Synod.[1] But the submission which Connecticut was now able to make for New Haven, by reason of their new political relation to each other, was a surrender of the principles on which New Haven had been founded, and a bitter disappointment to her best men. Now was seen in part fulfilled the design for a union between those Colonies, so far as the scheme had proceeded from the English court.

The Commissioners in Rhode Island. May 3.

Returning to Rhode Island,[2] the Commissioners presented the same demands to the General Court of that Colony, and added a requisition for putting the Colony into "a posture of defence." With lavish compliments the Court promised obedience, only qualifying the order respecting the Oath of Allegiance, by substituting, in favor of "such as made a scruple of swearing," an equivalent "engagement under the peril and penalty of perjury."[3] Without objection on the part of the Colony, the Commissioners entertained appeals in litigations between private parties, most of which, however, they referred for determination to the General Court or the Governor, thus obtaining at the same time an acknowledgment of their own superior authority, and the credit of performing an act of grace.[4]

a little altered, with reference to the reply which had been made by Plymouth. Connecticut was commended by the King for its "dutifulness and obedience" in a letter of the same date and contents as that addressed to the primitive Colony. (Trumbull, Hist., I. 536.)

[1] See above, p. 488.

[2] "We began at Plymouth," wrote Carr, Cartwright, and Maverick, to Bennet, from Boston (May 27), "and thence we went to Rhode Island, and so to Connecticut. . . . . At New London we had heard William Morton's case, if he had been at home [see above, p. 600, note 3]. . . . . From Connecticut we came through the Narragansett country." (O'Callaghan, Documents, &c., III. 96, 97.)

[3] R. I. Rec., II. 110–118.

[4] Ibid., 99, 106, 107, 143.

The Commissioners testified their complete satisfaction in their Report to the King. "The Colony of
December. Rhode Island and Providence Plantations," they wrote, "returned their humble thanks to his Majesty for sending Commissioners, and made great demonstrations of their loyalty and obedience. They approved, as most reasonable, that appeals should be made to his Majesty's Commissioners, who, having heard and determined some causes among them, referred other some, in civility, to their General Court, and some to the Gov-
1666. ernor and others."[1] The General Court main-
Sept. 4. tained their position by an Address, in which they assured the King "that, however the other Colonies, or any of them, should stand affected or prove disloyal, yet that this Colony promised and resolved to stand loyal to his Majesty, and to promote his royal interest in these parts, to the very utmost of their power, upon all occasions whatsoever." And, in memorials to the King and Lord Clarendon, while they set forth at length their past deserts, sacrifices, and wrongs, they extolled the Commissioners; "declared some reasons why, of right and necessity, the whole country of Narragansetts, as in the very letter of the Charter, should belong" to themselves; prayed that the boundary line between them and Plymouth might be made to run "three miles to the east of the most easterly and northeasterly part" of Narragansett Bay; and bespoke some other favors, especially "in point of freedom of commerce."[2]

From this sphere of easy negotiation the three Commissioners again transferred themselves to Boston. They arrived one by one, and in an obscure manner, their purpose being, as was supposed, to "prevent that respect and honorable reception, not only intended, but actu-

[1] R. I. Rec., II. 127. — The King complimented Rhode Island for its good behavior, in the same terms as Plymouth and Connecticut, and at the same time. (Ibid., 149.)

[2] Ibid., 154 – 166.

ally prepared for them."[1] Nicolls, coming from New York, joined them only the day before the meeting of the annual Court for Elections.[2] The parties confronted each other, with a conviction on both sides that there was now to be a decisive contest. It was conducted on both sides with spirit, and was begun and ended within a month.

The Commissioners in Massachusetts. 1665. May 2.

Some of the circumstances, in which the Magistrates of Massachusetts found themselves compelled to undertake it, were not inspiriting. Secretary Morrice had written to them that the King was "not pleased with their petition, and looked upon it as the contrivance of a few persons who had had too long authority there, and who used all the artifices they could to infuse jealousies into his good subjects there, and apprehensions as if their charter were in danger." He spoke of it as containing "unreasonable and groundless complaint;" enlarged upon "many complaints presented to the King, by particular persons, of injustice contrary to the constitution of that government;" and concluded by informing them that "his Majesty had too much reason to suspect that Mr. Endicott, who had, during all the late revolutions, continued the government there, was not a person well affected to his Majesty's person or his government," or fit to be rechosen. To the letter which they had addressed to Lord Clarendon,[3] he replied, that he had "perused the petition they had directed to his Majesty, and that he confessed to them he was so much a friend to their Colony, that, if the same had been communicated to nobody but himself, he should have dissuaded the pre-

Feb. 25.

March 15.

[1] "When the Commissioners went over, they had different quarters assigned them, but they chose all to lodge at Captain Breedon's." ("Captain Breedon concerning N. E.," August, 1678, in Colonial Papers, &c.)

[2] Cartwright came, April 13th, and Maverick the following day. Carr had not arrived on the 19th of that month. (O'Callaghan, Documents, &c., III. 94.) They had written to Nicolls, to urge him to join them. (Ibid., 19, 89.)

[3] See above, pp. 588, 590, note.

senting the same to his Majesty, who he doubted would not think himself well treated by it. . . . . I can say no more to you," he added, "but that it is in your own power to be very happy, and to enjoy all that hath been granted to you; but it will be absolutely necessary that you perform and pay all that reverence and obedience, which is due from subjects to their King, and which his Majesty will exact from you." Nor had Boyle regarded their proceedings more favorably. He too expressed himself "amazed to find that they demanded a revocation of the Commission and Commissioners."[1] The Magistrates of Massachusetts comprehended what they were undertaking better than great men in England.

March 17.

The Deputy-Governor and some Magistrates and Deputies were together making arrangements for the approaching organization of the government, when they received a message from the Commissioners, proposing a conference "with the Court." They replied, "that they were no Court;" but at length consented to a meeting. The Commissioners "immediately repaired to the Court-House, and delivered five several writings;" four of which proved to embrace portions of the royal Instructions to themselves. The first contained that part in which the King gave assurance of his friendly sentiments towards the Colonies; and to this the Commissioners appended a note of their own, enforcing the obligation of a grateful return. The second extract referred to the expedition against New Netherland, and was accompanied by a certificate of the Commissioners that they had given "the King an account of the readiness of this Colony in that ser-

Debate of the Massachusetts Magistrates with the Commissioners.

[1] Hutch. Hist., I. 464, 465; Mass. Hist. Coll., XVIII. 49. — They had written to Boyle: "We can sooner leave our place and all our pleasant outward enjoyments, than leave that which was the first ground of wandering from our native country." (Hutch. Coll., 389, 390.)

vice." The third produced their authority to communicate the royal pleasure to a General Court, which the Commissioners announced themselves now ready to do, at the same time complaining that their wishes, expressed the last summer, for an immediate publication of the King's letter to the Colony, had not been executed.[1] The fourth related to the preparation of a map of the territory, which three of the Commissioners had applied for, in a joint letter from Rhode Island, six weeks before, and which Nicolls now united with them in requesting the Court to have "made with all exactness possible, and with all speed convenient delivered."

The fifth "writing" was a *manifesto* of the Commissioners, setting forth the fitness of an appointment such as that which they held, and the unreasonableness of the opposition which appeared to have been raised against it. It was not true, they declared, as had been "maliciously reported by some," that their commission had "been made under an old hedge." It was not true, as had been affirmed, that "the King had sent them over to raise five thousand pounds a year out of this Colony for his Majesty's use, and twelve pence for every acre of improved land beside, and to take from this Colony many of their civil liberties and ecclesiastical privileges." "To wipe these soiling aspersions of his Majesty's honor, and to prevent the spreading of this poisonous infection among his Majesty's good subjects," was, they alleged, "the only reason" of their having proposed to bring the whole body of the inhabitants together at Boston. Of the purposes of their embassy, they said, "the first mentioned in the King's letter is peculiar to this Colony, and is 'to discountenance and suppress those unreasonable jealousies and malicious calumnies which wicked and unquiet spirits labor to infuse, &c., as that our

[1] See above, p. 583.

subjects there do not submit to our government, but look upon themselves as independent on us.' A fairer opportunity you can never have to throw this calumny, if it be one, to the depth of hell, to the father of lies, from whom it came." After explaining the principles which, in the King's opinion, ought to control the elections to be held the next day, the Commissioners courteously expressed the wish that the Court might "be prosperous in the choice of a Governor, and that he also might be prosperous in the execution of his office."[1]

Bellingham was chosen Governor, and was succeeded in the second office by Francis Willoughby.[2]

May 3.

May 4. On the next day, the business with the Commissioners was resumed in form. The Court "earnestly desired that they might know all that his Majesty had given them in command to declare, that so they might have their whole work before them; to which the Commissioners replied, that they should not observe that method, but, when they had received an answer to that which they had given in, they would then present them with more work." The Court, in a careful reply, promised that a map should be furnished without delay, and expressed their hope of having cause for "more ample expressions and demonstrations of their duty, loyalty, and good affection to his Majesty, according as by their patent they were bound." The Commissioners answered, with complaints of the long neglect of the King's demands sent by Norton and Bradstreet, and with comments on that unsatisfactory profession of loyalty, which appeared to limit its obligations by the terms of the patent. They added other unpalatable reflections, and concluded with communicating another

May 5.

[1] Mass. Rec., IV. (ii.) 177–186.

[2] Ibid., 141; see above, p. 588, note 1. — At this Court the first fruits were reaped of the new rule of citizenship. "The first day of the Court there was about seventy freemen admitted, sundry whereof were not members of any particular church." (Hull's Diary, in Archæol. Amer., III. 217.)

instalment of their Instructions. The portions now made known related to the royal protection for the natives; to an inquiry into the means of education; to examination into offences committed by persons in authority; and to a compliance with the royal demands, now remaining unaccomplished for nearly three years. To each of these passages, the Commissioners, as before, added, under the hands of them all, their suggestions for a practical issue. By an inquiry whether it would be most convenient to the Colony to have a hearing of a question, in which it was concerned, take place at Providence, or in the King's Province, or within its own territory, they gave a sufficient hint of the kind of jurisdiction to which they meant to lay claim.

This course of proceeding terminated with the communication of three other particular Instructions. One, relating to the apprehension of traitors, was transmitted without comment. The order to collect the local statistics was accompanied by a request that some persons on the spot should be charged with that office. To the instruction relating to breaches of the Navigation Laws, the Commissioners added a notice of a particular case of violation, which, as they were informed, had taken place three years before, and declared their "will and pleasure" to be, that the colonial authorities should institute an inquiry concerning it, and "cause justice to be done." They at the same time desired a copy of the colonial laws for examination.[1] May 8.

A transaction of a different character now intervened. One John Porter, imprisoned for gross misconduct in Massachusetts, had been released on giving a bond to depart from the jurisdiction.[2] At Warwick he complained to the three Commissioners, who gave 1664. Oct. 19.

[1] Mass. Rec., IV. (ii.) 186 – 195.

[2] Ibid., 137. Porter, besides being "a vile, profane, and common swearer and drunkard," was a rebellious son. His offences are described, further on (Ibid., 216), with abundant detail.

him a paper, by which they appointed a day for him
1665. to appear before them in Boston, to have his
April 8. case heard; and they "required and commanded all officers, both military and civil, and all other persons," to abstain meanwhile from "all molestation and restraint, he behaving himself civilly."[1] This was a startling measure to the Magistrates; for Porter, in their judgment, was one of "the vilest of malefactors," and the revisal of his sentence by an extraneous authority would be a fatal obstruction of the course of their justice. In a short note from their Secretary, the
May 9. Court informed the Commissioners, that, by the "warrant to John Porter, ... they apprehended their patent, and his Majesty's authority therein committed unto them, to be greatly infringed."[2]

May 10. The Commissioners asked a conference with a
May 11. committee of the Court. At this interview, "the gentlemen sent by the Court humbly pleaded, that his Majesty's charter gave to the Governor and Company here full and absolute power and authority for the government of his subjects of this Colony, for the making of laws suitable to that end, not repugnant to the laws of England," and "for the putting such laws in execution;" and they enlarged on the "insufferable burden" that would be laid upon them by the admission of appeals from their decrees. They asked the Commissioners whether, for any trials which they should conduct, they proposed to impanel a jury; by what law they should proceed; and whether they would admit new evidence. To the first question, a reply was made in the negative; to the last, in the affirmative; and to the other, that the law of England would be the rule. The committee insisted that the King's subjects in Massachusetts had a right to trial by jury, and by the local laws. It was "on the assurance" of this and other like privi-

[1] Mass. Rec., IV. (ii.) 177. [2] Ibid., 195.

leges, they said, "that they left their dear relations, and parted with their inheritances in their native country, venturing the lives of themselves and families into this wilderness, and here, without any expense to his Majesty, had raised up a colony of people to his Majesty, proceeding out of their own loins; and now this would be a great addition to their former sorrows for their so great bereavements, to be at once reduced to such an exigence, that either they must be charged with denial of his Majesty's authority over them, or else must yield to the prostrating of his Majesty's authority, orderly established here according to the grant of his royal charter, under the broad seal of England, and submit themselves, their lives and estates, and their liberties, far dearer than them both, to another authority, whose rule was their own discretion."[1] The Commissioners were immovable, and the conference broke up.

The Court delivered answers in writing to the further requisitions which, in conformity with their Instructions, the Commissioners had made. As to transactions with the natives, they said that the "Acts of the Commissioners" of the United Colonies might be seen in the record kept by them, and would afford the best information. They furnished the required minutes respecting the frame of their government, the order of their churches, their military organization, the amount of their tonnage, the condition of their College and schools, and their arrangements for instructing the Indians. To the permission to choose a place where complaints against them should be heard, they replied that "the inviolable observation" of their charter "seemed inconsistent with the Commissioners' hearing and determining complaints and appeals;" but that, when the Court should be informed what those complaints were, they "hoped to give such an answer and account as should be consonant to

May 11–16.

[1] Mass. Rec., IV. (ii.) 195–197.

reason and equity." For their proceedings in respect to the "persons attainted of high treason," they referred to their narrative before transmitted to the King. The Act of Navigation they were "not conscious to themselves that they had greatly violated, neither knew they any law of theirs against it." As to matters specified in the King's former letter, they "expressed and declared, that it was their resolution, God willing, to bear faith and true allegiance to his Majesty, and to adhere to their patent;" that they had given orders for the taking of an oath of allegiance; and that, "for some time past," justice had been administered in the King's name. "The use of the Common-Prayer Book" among them, they said, "would disturb their peace in their present enjoyments;" and they would not have been "voluntary exiles from their dear native country, ... could they have seen the word of God warranting them to perform their devotions in that way, and to have the same set up here."[1] "The word of the Lord" was the rule "concerning ecclesiastical privileges," by law "commended to the ministry and people." By a late law, they had "accepted the qualifications mentioned in his Majesty's letter, to elect or be elected unto civil offices."

The oath of allegiance which they had framed, and of which they furnished a copy, may pass for a specimen of ingenuity. It was as follows: —

"Whereas I, A. B., am an inhabitant within this jurisdiction, considering how I stand obliged to the King's Majesty, his heirs and successors, by our charter and the government established thereby, do swear accordingly, by the great and dreadful name of the everliving God, that I will bear faith and true allegiance

[1] By their Instructions the Commissioners had been permitted, rather than directed, to be accompanied by a chaplain; and it was recommended that he should not wear the surplice. (O'Callaghan, Documents, &c., III. 58.)

to our sovereign lord the King, his heirs and successors; and so proceed as in the printed oaths of freedom and fidelity."[1]

The arrangements thus described could not be expected to satisfy the Commissioners. They complained of the qualifications in the oath of allegiance; of the continued limitations to liberty of worship; and of the insufficiency of the new conditions of the franchise. "You have so tentered," they said, "the King's qualifications as in making him only who payeth ten shillings to a single rate to be 'of competent estate;' ..... the truth is, that not one church-member in an hundred pays so much, and that, in a town of an hundred inhabitants, scarce three such men are to be found." "These answers are so far from being probable to satisfy the King's expectation, that we fear they will highly offend him. Abuse not the King's clemency too much." The question respecting the competency of the Commissioners to sit as a Court of Appeal was vital. They repeated their assertion of it in a short and peremptory letter, concluding with "one question, whereunto," said they, "we expect your positive answer, which we shall faithfully report to his Majesty: Whether you do acknowledge his Majesty's commission, wherein we are nominated Commissioners, to be of full force to all the intents and purposes therein contained."[2] May 18.

The Court were not taken by surprise. No English lawyer — still less the official strangers, who were men of other pursuits — understood the charter of Massachusetts better than Richard Bellingham. Perhaps, in the passing transactions, he had the interest of one who is to see whether the work of his own hands is as strong as he had meant to make it.[3] The Court

[1] Mass. Rec., IV. (ii.) 198 – 203.

[2] Ibid., 203 – 206.

[3] See above, I. 307, note.

answered, the same day, with a mere repetition of the request to be informed of complaints against them. The reply of the Commissioners propounded their lofty inquiry again, in a letter consisting of a single sentence; whereupon they were informed by the Court: "We humbly conceive it is beyond our line to declare our sense of the power, intent, or purpose of your commission. It is enough for us to acquaint you what we conceive is granted to us by his Majesty's royal charter. If you rest not satisfied with our former answer, it is our trouble, but we hope it is not our fault." The Commissioners, with a rebuke for "such dilatory answers," sent notice, that, on the following day, "at nine of the clock of the morning, at the house of Captain Thomas Breedon," they meant to hear and determine the cause of Mr. Thomas Deane and others, plaintiffs, against the Governor and Company, and Joshua Scottow, merchant, defendants."[1]

May 19. May 20. May 22. May 23.

The hearing did not take place. At eight o'clock in the morning of the appointed day, a messenger of the General Court took his stand before the door of Captain Breedon,[2] and published, with sound of trumpet, a proclamation, whereby the Court explained the intended usurpation of the Commissioners, and then, "in his Majesty's name, and by the authority to them committed by his royal charter, declared to all the people of this Colony, that, in observance of their duty

May 24.

[1] Mass. Rec., IV. (ii.) 207–210.— Deane had been associated with Kirke and Kellond in the complaint of breaches of the Navigation Laws. (Ibid., 218.)

[2] The house occupied by Breedon is said to have been on the east side of Hanover Street, near the corner of Cross Street, where the old Hancock School-House lately stood.

Of course, this was a time of some exaltation. On the day when the Commissioners were thus defied, the Magistrate Gookin, taking the oath of allegiance, recorded his declaration that he was to "be so understood as not to infringe the liberty and privileges granted in his Majesty's royal charter" (Massachusetts Archives, CVI. 132); and two days after, Danforth accompanied his oath with a similar protest. (Ibid., 133.)

to God and to his Majesty, and to the trust committed unto them by his Majesty's good subjects in this Colony, they could not consent unto, nor give their approbation of, the proceedings of the above-said gentlemen; neither could it consist with their allegiance that they owed to his Majesty, to countenance any should in so high a manner go cross unto his Majesty's direct charge, or should be their abettors or consenters thereunto" The proclamation was repeated, with like parade, in two other parts of the town.

The Commissioners saw themselves to be helpless. "Gentlemen," they wrote, "we thought, when we received our Commission and Instructions, that the King and his Council knew what was granted to you in your charter, and what right his Majesty had to give us such commission and commands; and we thought the King, his Chancellor, and his Secretaries, had sufficiently convinced you that this commission did not infringe your charter; but, since you will needs misconstrue all these letters and endeavors, and that you will make use of that authority which he hath given you to oppose that sovereignty which he hath over you, we shall not lose more of our labors upon you, but refer it to his Majesty's wisdom, who is of power enough to make himself to be obeyed in all his dominions." Two other communications were made on that day. The Court placed in the hands of the Commissioners a map of their territory, as they understood its limits to be defined; and the Commissioners furnished a list of a number of amendments which they proposed to have made in the existing laws, in order to a better recognition of the King's authority, and compliance with his wishes.

The Court summoned Deane and his associates before them for a re-examination of their complaint, and sent a notice to the Commissioners, in order that, if so disposed, they might be present, and, "accord- May 26.

ing to his Majesty's command to them, might understand the grounds of the said complaint." The Commissioners replied: "We do in his Majesty's name declare to the General Court, that it is contrary to his Majesty's will and pleasure that the cause should be examined by any other Court or persons than ourselves, who are, by his Majesty's commission, the sole judges thereof." This was their last act before they dispersed from Boston.[1] Nicolls went back to his government of New York, and his colleagues proceeded to the northern towns of Massachusetts.

In the twenty-two years that had passed since the death of Captain John Mason,[2] his family had had no favorable opportunity for reclaiming his American estate. The elder of his two grandsons died in infancy. Soon after the younger came of age, an agent was sent to the Piscataqua to look after the property. An action, brought by him in the Court of Norfolk County for the possession of some lands, raised the question whether they were within the limits of Massachusetts, and gave occasion to that exploration of the northern boundary which has been mentioned in another place.[3] Having ascertained that the jurisdiction was their own, but that Mason had acquired some rights in the soil, the General Court ordered

New Hampshire.

1652.

1653. Aug. 30.

[1] Mass. Rec., IV. (ii.) 210 – 215. — Carr and Maverick, reporting to Bennett the interruption to their intended judicial proceedings, say the trumpet was blown "by eight of the clock in the morning, under Colonel Cartwright's chamber-window, he being then lame of the gout at Captain Breedon's, where we intended to have sat." (Letter of November 20, in the State-Paper Office.) — Davenport wrote from New Haven to Leverett, June 24th, in a strain of triumph for the present result of these transactions. (Hutch. Coll., 392.) Leverett had acquainted him with them the next day after their conclusion. Davenport uses the opportunity to bewail the evil omen of the decision of the recent Synod respecting baptism, and the political catastrophe in New Haven.

A person attentive to chronological coincidences may observe, not without interest, that the month of the first excitement in Boston against the Stamp Act was the Centennial Anniversary of this defeat of the royal Commissioners.

[2] See Vol. I. pp. 404, 523, 592.

[3] See above, pp. 385, 386.

"that a quantity of land, with privilege of the river, ... proportionable to Captain John Mason's disbursements," should be laid out to his heirs.[1] For the present, nothing more was done. At the restoration of the monarchy, Robert Tufton, his heir, who had taken the name of Mason, hoped for more favor than the Commonwealth could have been expected to show to his loyal family. His petition to the King was referred to the Attorney-General, who reported that "Robert Mason, grandson and heir to Captain John Mason, had a good and legal title to the Province of New Hampshire."[2]

It does not appear that the King had given any special directions on this subject. But it afforded good materials for another quarrel, and the three Commissioners took their measures accordingly. In the four towns by the Piscataqua, where by their violent conduct — especially that of Carr — the people were "so terrified and amazed that they did not well know what to do,"[3] they obtained a few signatures to a petition to the King, praying him for relief from the government of Massachusetts. The towns of Portsmouth and Dover, in alarm, applied to the General Court, which appointed a committee of three Magistrates, — Danforth, Leverett, and Lusher, — to repair to that region, and act as they might deem circumstances to require. They soon reported, that,

The royal Commissioners in New Hampshire. 1665. July.

Oct. 10.

[1] Mass. Rec., IV. (i.) 156.

[2] See Belknap, History of New Hampshire (Farmer's edition), p. 59; comp. 436.

[3] Carr and his companions wrote home that the terrifying action was on the other side; — "those who have declared themselves loyal are very much threatened, and in great fear." At the same time they expressed their views as to the course fit to be taken with Massachusetts; — "if writing will serve the turn (as they suppose it will), they can keep the business in agitation until the King, and all his Secretaries there, and all his good subjects here, be weary of it. ..... Both the readiest and surest way is for his Majesty to take away their charter, which they have several ways forfeited, which King Charles was about to do a little before the Scottish war in 1636 or 1637. ..... But this, without a visible force, will not be effected." (Letter of Carr, Cartwright, and Maverick, of July 26, 1665, O'Callaghan, Documents, &c., III. 102.)

by the action of town-meetings at Portsmouth and Dover, and by certificates from Exeter and Hampton, they were assured that the great body of the people in those places had had no hand in the movement, and deprecated any change. From Kittery, on the opposite bank of the Piscataqua, Carr wrote to the committee, "desiring and requiring they would forbear troubling or molesting" the petitioners. His note received no attention. "One Abraham Corbet, of Portsmouth, a nourisher of much vice and wickedness by giving irregular entertainment of loose persons in his house, had been very active in drawing up and promoting the subscription." The committee sent him a summons to appear before the General Court,[1] which subsequently condemned him to pay a fine of twenty pounds, to be incapable of "bearing any office," and to "give one hundred pounds' bond, with sufficient security, for his peaceable demeanor for the future."[2] Captain Breedon became one of his sureties, as he probably had been one of his prompters.

1666. May 23.

From the Piscataqua towns, the three Commissioners proceeded further to the east. After the death of Sir Ferdinando Gorges, his eldest son, John, had seen no encouragement, in the state of the times, to attempt the recovery of his supposed rights.[3] During the protectorate of Richard Cromwell, the son of John Gorges, by name Ferdinando, put together some of his grandfather's papers, and published them in the book, called the "Brief Narrative," which has been often quoted in these pages. After the King's restoration, there were symptoms of disaffection to Massachusetts in the eastern settlements. For three years they

Maine.

1659.

[1] Mass. Rec., (ii.) 265 – 273.

[2] Ibid., 304. — According to a statement of the Commissioners (Hutch. Coll., 419), "two marshals were sent from the Governor and Council with a warrant to forbid the towns either to meet or do anything commanded them by the Commissioners, at their utmost perils." But if there is anything of this in the Records, I have overlooked it.

[3] See above, p. 383; comp. Proceedings of Mass. Hist. Soc., 1858 – 60, 275.

allowed themselves to be almost unrepresented in the General Court.[1] Massachusetts put a new officer in command of their militia, and sent a committee, consisting of Danforth, Hathorne, and Lusher, to the County of York, to "require all persons belonging to this county to return peaceably to their former obedience, and all officers, orderly established, ... to attend the faithful discharge of their respective places."[2] The King, by Secretary Morrice, wrote to his "trusty and well-beloved, the inhabitants upon the Province of Meyn," informing them that he was legally advised that the claim of Gorges was valid and that the government over them by Massachusetts was usurped, and requiring them "forthwith to make restitution of the said province unto the said Ferdinando Gorges or his commissioners, and deliver him or them the quiet and peaceable possession thereof."[3] Upon this, Gorges took some measures towards restoring his authority. The General Court of the Colony gave their attention to the subject, at the moment of their sharpest collision with the royal Commissioners; and, "taking into consideration the distracted condition of the people of the County of Yorkshire, occasioned by some persons presuming to claim and exercise government amongst them by a pretended power derived from Ferdinando Gorges, Esq.," the Magistrates despatched thither a proclamation, "requiring all the inhabitants of that county to remain in their duty and obedience to his Majesty, in subjecting to the authority of this Court."[4]

1661-63.

1664. May 27.

June 11.

1665. May 25.

[1] Mass. Rec., IV. (ii.) 2, 41, 72, 100.

[2] Ibid., 76. — Just at this time (June 25), Daniel Gookin wrote to Gorges, advising him, in a friendly way, to "make some honorable composition with the jurisdiction of Massachusetts for his claim" The letter, which is in the State-Paper Office, has been printed by Mr. George Folsom, in his very valuable "Catalogue of Original Documents in the English Archives relating to the Early History of the State of Maine" (p. 55; comp. Hist. and Geneal. Reg., XIII. 349).

[3] Hutch. Coll., 385.

[4] Mass. Rec., IV. (ii.) 151, 152; comp. 236, 253; also Hutch. Coll., 396.

So matters stood in the eastern county, when the royal Commissioners approached it. Professing to be influenced by "several petitions from the inhabitants of the Province of Meyne, ... in which petitions they desired to be taken into his Majesty's immediate protection,"[1] they proceeded, at York, to settle a government independent alike of the Proprietary and of Massachusetts, and to appoint magistrates for each of the eight towns, with authority also to convene as one board, for the transaction of business of general concern.[2] Continuing their journey to the new Province of the Duke of York beyond the Kennebec, where Massachusetts had never claimed jurisdiction, they there made similar arrangements for the government of the few and scattered inhabitants, and gave to the territory the name of *Cornwall*.[3] At York, on their way back, they held a court, in which they decreed the invalidity of all titles to land acquired from the natives, or under the Lygonia patent.[4]

The Commissioners in Maine.

June 23.

Sept. 5.

October.

While they were thus engaged, the General Court held another meeting, and, with the advantage of two months' deliberation, proceeded to take some further measures. "Upon the intelligence of De Ruyter approaching their coasts," — so the necessity for arming is explained, — they placed a strong garrison in the Castle in Boston harbor, and made other military dispositions; they took care for the more effectual restraint of persons "reproaching the laws and authority here established according to his Majesty's charter;" and, in another Address to the King, they complained of the misconduct of the three Commissioners, and depre-

Aug. 1.

[1] These petitions were sent to England by the Commissioners, and may be seen by the curious at the State-Paper Office.

[2] Mass. Rec., IV. (ii.) 249 – 251.

[3] Williamson, History, &c., I. 420 – 422. — The settlements were Sagadahock, Sheepscot, Arrowsick, and Pemaquid. The Commissioners, in their Report, give a sorry account of the inhabitants. (Hutch. Coll., 424.)

[4] Williamson, History, I. 424.

cated the displeasure which might be awakened in England by their malign misrepresentations. "Unto that arbitrary, absolute, and unlimited power which those gentlemen would impose," they said they could not "see reason to submit."[1]

The final visit of the Commissioners to Boston was of short duration. The Court sent them a message proposing a conference on what had lately taken place; but the tone of Carr's answer was offensive, and the Court resolved to proceed no further.[2] He went to look after his interests in the Delaware country, and in the second following year sailed for England,[3] where he died, the day after landing. Mav-

Dispersion of the Commissioners.

[1] Mass. Rec., IV. (ii.) 274 – 278. — A connected narrative of these transactions with the Commissioners, with a vindication of the government, occupies more than a hundred quarto pages in the printed edition of the Records. (Ibid., 157 – 273.) I suppose it was prepared by Danforth, and that in the Danforth Papers (Mass. Hist. Coll., XVIII. 46 *et seq.*) we have the original collection of materials for it.

[2] Mass. Rec., IV. (ii.) 279. — In December, 1665, Carr was still in Boston, whence he wrote to Lord Lauderdale: "If the King would take the lands lying east to Connecticut River, and join it, with Rhode Island, to the King's Province, it would make a good receptacle for the King's loyal subjects, and be a great stop to the Massachusetts, if they should rebel. Rhode Island Colony is so full of faction, and so void of men fit to govern; — for there is, besides the Governor and Deputy-Governor, (betwixt whom, to my knowledge, there is a great feud,) not one fit to make a Governor of," &c. (Letter of Carr, in Proceedings of Mass. Hist. Soc. for 1858 – 1860, p. 274.)

[3] Meanwhile, however, he made a visit to Boston, where he had a little adventure. Perhaps he came thither to embark. As in January, 1667, he was merry-making at the Ship Tavern, with Maverick and Temple, on a Saturday evening, a constable stepped in, and desired them to be more regardful of the sobriety of the hour, and disperse. The party drove away the officer with blows, and then adjourned to Mr. Kellond's. Arthur Mason, another constable, found them there, and, in an altercation which ensued, he told Carr that he would have taken away the King himself, if he had found him noisy on Saturday evening in Boston. Maverick complained to the Governor, and Mason was informed against, before the Grand Jury, for "maliciously uttering treasonable words." The Grand Jury found a bill to the effect that "the words charged were spoken," and a petit jury brought in a verdict in the same terms; the Magistrates referred the question of further proceedings to the General Court; and the officer was sentenced to be "admonished in solemn manner by the Governor." (Hutch. Hist., I. 232 – 234.) On the other hand, Leverett summoned Carr to appear before him, and answer for "riotous and abusive

erick fixed his home at New York, where the Duke of York gave him a house "in the Broad Way." Cartwright sailed for England, in a fury of displeasure, with the Report of the Commissioners, and a mass of documents for its illustration. He was taken at sea by a Dutch cruiser, and stripped of all his effects, including his papers; and, while copies were awaited, the indignation which he labored to stimulate had time to cool, the minister he had served was falling from power, and the coming war with France had a paramount claim on the thoughts of men in office.[1]

The apprehensions which the General Court had expressed of being unfavorably represented to the King had all along been well founded. But the Reports which, in every stage of their proceedings with Massachusetts, the Commissioners had been sending home, while they expressed the ill-humor of the writers, at the same time betrayed their impotence. Under whatever disadvantages pursued, the quarrel could not yet in England be abandoned with dignity; and a resolution was taken to carry it on by another method. The King, by Secretary Morrice, wrote to Massachusetts, that he had attended to the statements submitted to him by both parties; and it was "very evident" to him "that those who governed the Colony of the Massachusetts . . . . . did, upon the matter, believe that his Majesty had no jurisdiction over them, but that all persons must acquiesce in their judgments and determinations, how unjust soever, and could not appeal to his Majesty."

1666. April 10.

carriage to one of his Majesty's officers, one of the constables of the town." (Hutch. Coll., 411.) But how Carr's case was disposed of, I have not learned. He sailed for England, March 20, 1667. (O'Callaghan, Documents, &c., III. 160.)

[1] Nicolls remained but a short time in his government of New York. He went home in 1668, and resumed his place in the Duke's household. He was killed, May 28th, 1672, in the naval engagement at Solebay, and his remains lie under the chancel of the church of Ampthill, in Bedfordshire.—Miss Caulkins says (History of New London, 41) that he gave Fisher's Island to Winthrop (see above, p. 234).

He accordingly had resolved to recall his Commissioners to make their report in person, at the same time giving "express command and charge, that the Governor and Council of the Massachusetts should forthwith make choice of five or four persons to attend upon his Majesty, whereof Mr. Richard Bellingham and Major Hathorne were to be two, both which his Majesty commanded upon their allegiance to attend," the other three or two to be "such as the Council should make choice of."[1] Orders were added for the liberation of all persons "imprisoned only for petitioning or applying themselves to his Majesty's Commissioners," and for the continuance of the government of Maine, and of the boundaries of the several Colonies, as the Commissioners had established them, "until his Majesty should further determine."[2]

Demand for agents to be sent to England.

The next General Court gave diligent attention to the preparation of military defences; but its record contains no notice of the demands in the King's letter.[3] Possibly it may not have been received so early. When, after more than three months, the Court met again,[4] its first action was to order "that

May 23.

Sept. 11.

[1] "If," wrote Lord Clarendon to Nicolls, April 13, 1666, "they do not give obedience to it [this command to send agents] we shall give them cause to repent it; for his Majesty will not sit down by the affronts which he hath received."

[2] The letter is printed by Hutchinson (Hist., I. 466). It bears the same date as the laudatory letters addressed to Plymouth, Connecticut, and Rhode Island. (See above, p. 606, note 1.)

[3] Mass. Rec., IV. (ii.) 294–312.

[4] Maverick had in the previous month been again in Boston, where he was again charged with business from England. August 6, 1666, he received duplicate letters from Sir William Morrice, which, agreeably to his orders, he took to the Governor (Bellingham), "and required him, in his Majesty's name, immediately to convoke the Council. . . . . It was six weeks ere they were assembled"; and, "shortly after, in a General Court, it was voted that the persons sent for should not go." (Letter of Maverick to Lord Arlington, August 25, 1668, in the State Paper Office.) It was doubtless of an interview with Bellingham on this occasion that Maverick wrote to Governor Prince, of Plymouth, August 11, 1666: "My discourse this morning with the Governor, I fear, took off his stomach for breakfast, and my discourse next week with him and his Coun-

some of the reverend elders, that were or might be in town, should be desired to be present with the General Court on the morrow morning, and to begin the Court, and spend the forenoon in prayer." The guides of the public action and the instructors of the public conscience met together accordingly, and prayed and consulted. And the issue of the whole was a letter, prepared by a committee, of which Willoughby was chairman, and addressed to Secretary Morrice by the General Court. It replied at length to a proposal for an invasion of New France, and then proceeded as follows: —

"We may not omit to acquaint your Honor that a writing was delivered to the Governor and Magistrates by Mr. Samuel Maverick, the 6th September, without direction or seal, which he saith is a copy of a signification from his Majesty of his pleasure concerning this Colony of the Massachusetts, the certainty whereof seems not to be so clear unto us as former expresses from his Majesty have usually been.

"We have in all humility given our reasons why we could not submit to the Commissioners and their mandates the last year, which we understand lie before his Majesty; to the substance whereof we have not to add, and therefore cannot expect that the ablest persons among us could be in a capacity to declare our cause more fully.

"We must, therefore, commit this our great concernment unto Almighty God, praying and hoping that his Majesty (a prince of so great clemency) will consider the state and condition of his poor and afflicted subjects at such a time, being in imminent danger by the public enemies of our nation, and that in a wilderness far remote from relief."[1]

cil may put him in the same distemper." (Letter of Maverick, in the collection of "Winslow Papers" belonging to the Massachusetts Historical Society.)

[1] Mass. Rec., IV. (ii.) 317.

This conclusion was not reached with entire unanimity. Two of the Magistrates, Denison and Bradstreet, would have been more compliant. And the sordid and short-sighted timidity of commercial politics interposed; for already there was commercial prosperity enough to conflict with the ancient strictness of public morality. Petitions came in from the four principal commercial towns, praying for a submission to the royal demand,— the petition from Boston having twenty-six signatures, and those from Salem, Newbury, and Ipswich being subscribed with thirty-three, thirty-nine, and seventy-three names respectively. The Court observed these documents to be "for substance but one;[1] and, finding that the petitioners did therein unjustly charge, threaten, and reflect upon the Court, to the dishonor of the members thereof, they ordered four of the signers from Boston, and one from each of the other towns, to appear at the next Court, and answer for the same." But the matter does not appear to have been further pursued.[2] Mav-

[1] "To the same purpose, and same words." (Mass. Hist. Coll., XXVIII. 105.)

[2] Mass. Rec., IV. (ii.) 314–318; comp. Mass. Hist. Coll., XXI. 59.— An account of the proceedings preliminary to the final action of the Court is preserved in the "Danforth Papers" (Mass. Hist. Coll., XVIII. 98–101). "12. 7mo. 1666. The Court met, and sundry elders, and spent the forenoon in prayer. These prayed: Mr. Wilson, Mr. Mather, Mr. Symmes, Mr. Whiting, Mr. Corbitt, Mr. Mitchell." On the second day after, the petitions from the ports were presented, and a full debate took place. The names of the speakers are preserved in the manuscript only by the initial letters; and the editor of the Danforth Papers has generally interpreted these correctly. By "D.," however, he has understood "Dudley" to be denoted, when he should have supplied *Denison*. Joseph Dudley (afterwards so conspicuous) was now only a year out of College; and his elder brother, Thomas, who had not been a Magistrate, had lately died.— Bradstreet (who had hardly got over his fright in England) maintained, with Denison, the side of prerogative. Bellingham, Willoughby, Symonds, and Hathorne stood stiffly for the chartered rights. They expressed the common sentiment, which did not require to be further urged by Danforth, Leverett, and the others like-minded. Willoughby spoke to the purpose when he said: "We must as well consider God's displeasure as the King's, the interest of ourselves and God's things as his Majesty's prerogative; for our liberties are of concernment, and to be regarded as to the preservation; for, if the King may send for me now, and

erick came from New York with a letter signed by Nicolls, Carr, and himself, protesting against this last contumacious action of the Court, and soliciting a reconsideration, and was answered by the Magistrates that what they had to say upon the subject had already been communicated to Sir William Morrice.[1]

Nov. 3.

Nov. 13.

another to-morrow, we are a miserable people." Of the same way of thinking was "E.," whose name the editor of the papers does not venture to fill out. There was at the time no Magistrate whose name begins with that letter. The manuscript papers are now mislaid. When they shall reappear, I think it probable that the editor will be found to have erroneously read *E* for some other letter, — perhaps for *G*, designating *Gookin*.

"Many of them," said Bradstreet, "that have estates to send to England, are afraid that they will suffer there, if nothing be done." And so said the petitioners. Of those of them who can be identified, some were of that class of persons who establish a certain consequence by building up fortunes, though their fabric would scarcely rise above the ground unless protected by the public spirit of the braver men whom they embarrass. Among the Boston signers were Thomas Kellond, who had failed of catching Whalley and Goffe; and Captain Breedon and Thomas Deane, both of whom had done their best to help the Commissioners. They and their comrades set forth, with edifying pathos, as well as with an unconscious insensibility to the public dishonor, which, in the circumstances, was involved in their homily, "that those who live in this age are no less than others concerned in that advice of the wise man, to keep the King's commandment because of the oath of God, and not to be hasty to go out of his sight that doth whatsoever pleaseth him." They desired that "effectual care might be taken lest, by refusing to attend his Majesty's order, ... we should plunge ourselves into great disfavor and danger." They frankly referred to "the interest of their own persons and estates." They expressed, on the one hand, their apprehension lest "that which, if duly improved, might have been as a cloud of the latter rain, should be turned into that which in the conclusion might be found more terrible than the roaring of a lion;" and, on the other, their hope that they might not be compelled "to make their particular address to his Majesty and declaration to the world, to clear themselves from the least imputation of so scandalous an evil as the appearance of disaffection or disloyalty to the person and government of their lawful prince and sovereign would be."

[1] Hutch. Coll., 408 – 410. — In the State-Paper Office is a letter dated "From the Massachusetts Colony in New England, October 26, 1666," addressed to Secretary Morrice, and signed "Samuel Nadhorth." If it might be hazardous to say that there was then no person of the name of *Nadhorth* in Massachusetts, there can be little hesitation as to affirming that there was no person of that name capable of writing such a paper. I think we may safely conclude that the name assumed was a pseudonyme of Hathorne or of Danforth. Neither of them bore the Christian name of Samuel, but Nadhorth is nearly a perfect anagram equally of *Hathorne* and of *Danforth*.

The Court were well disposed to lighten, in any upright way, the difficult task they had assumed; and the last business done at the recent session was to take measures for sending to the King a present of masts

One circumstance favors the opinion that Hathorne was the writer. It is, that where the letter refers to the King's demand for agents to be sent to England, it explains why Bellingham could not go, but says nothing of Hathorne, who equally had been summoned by name. This very interesting document would cover eleven or twelve pages such as mine. A few extracts will afford some indication of its character.

"I clearly see, that the body of the people have a higher esteem of their liberties than of their lives. They well know they are such twins as God and nature have joined together, and are resolved to bury their estates and liberties in the same grave. . . . . .

"Should the malicious accusations of their adversaries prevail with his Majesty to impose hard measure upon them, as their dwellings are not desirable for luxurious minds, so they would not be long inhabited by them, the country being large and wide. And what great pity is it that a hopeful plantation, so suddenly raised without any expense to his Majesty, should now be made a prey to foreign enemies." The writer goes on to show how much it is coveted by the French, and how easily they might occupy it, if but partially deserted by its present holders. "What extremity," he adds, "may force them to, that God only knows, who is wonderful in counsel and mighty in working, whose thoughts are not as man's, and whose counsel only shall stand. . . . . .

"There came . . . . . a writing, being a copy of a signification from his Majesty, requiring the Governor and some others to appear in England. But the very truth is, the Governor is an ancient gentleman, near eighty years old, and is attended with many infirmities of age, often incapacitating him to the public service of the country, as stone, colic, deafness, &c.; so that to have exposed him to such an undertaking had been extreme cruelty. And, for the further alleviating, please to be informed that the writing which came to their hands was neither original nor duplicate, but only a copy, without any seal, or notification that his Majesty had appointed the exhibition thereof to the Colony. . . . . .

"Had the Governor and all the leading men of the Colony adhered to the Commissioners' mandates, the people were so resolved, that they would for the generality of them (some discontents, Quakers, and others excepted) have utterly protested against their concession. . . . . .

"What your Honor may do for the interest of God's people, God himself will own, and Jesus Christ, his Son, will own you for it, when he shall appear in all his glory with his saints and holy angels to judge the world. If in your wisdom you shall perceive it will do no good to this people, your declaring the contents of these lines, I do humbly, for Christ's sake, beg that favor of your Honor, that it may not be improved to any provocation, this being privately done by my own hand, without the privity of the authority, or advice of any other person whatsoever, against whom, whiles I have been here resident, I see no just ground of complaint." See O'Callaghan, Documents, &c., III. 138.

for the use of the royal navy. It cost the Colony nearly two thousand pounds, and was very gratefully received in England, being so seasonable that it was afterwards thought to have materially contributed to the favorable issue of the existing war with France.[1]

Soon after that power had taken part against England in her war with the Dutch, the King instructed Colonel Nicolls to organize an expedition against New France, and to obtain troops from the New-England Colonies, to which he also transmitted orders to that effect.[2] Nicolls applied to Massachusetts for "a speedy force of horse and dragoons, not exceeding a hundred and fifty."[3]

Proposal for an expedition against New France. Feb. 22.

July 6.

The Court wrote to Morrice: "As touching the reducing of Canada, &c., the Council have advised with Sir Thomas Temple, Governor of Nova Scotia,[4] and with the Governor of Connecticut, who both concluded with them that it is not feasible, as well in respect of the difficulty, if not impossibility, of a land march over the rocky mountains and howling deserts about four hundred miles, as the strength of the French there, according to report." They added, that vessels with their commission had "lately taken three or four of the French fishing-ships upon the coast of Canada," and that they should take care, "by the assistance of God, to preserve and defend the honor and interest of his Majesty and the English nation in these parts."[5]

Sept. 11.

Peace was made the next year at Breda, and the plan of invasion was not revived. By one article of the treaty, Nova Scotia was lost to England, and Temple was no more its master.

Peace of Breda. 1667. July 31.

[1] Mass. Rec., IV. (ii.) 318; comp. 327. — How opportune and valuable this gift was, may be seen in Pepys (Diary, III. 100).

[2] Mass. Hist. Coll., XVIII. 102.

[3] Hutch. Coll., 407.

[4] See above, p. 286.

[5] Mass. Rec., IV. (ii.) 316; comp. 328; also Mass. Hist. Coll., XVIII. 101.

Maverick appeared once more in Boston with a message from Nicolls;[1] its purport is not recorded, and, whatever it was, it was fruitless. At the end of three years from the last meeting of the Federal Congress, six Commissioners came together at Hartford. One star was lost out of its sphere; and with the wholeness of the system, its attractions, its balance, and its forces had departed. Of the brave Confederacy of the Four Colonies only the shadow of a great name remained.

May 9.

Meeting of the Federal Commissioners.

Sept. 5.

The defunct jurisdiction of New Haven was complimented by the election of Leete, who now came as one of the Commissioners for Connecticut, to be President of the Congress. The Commissioners for Massachusetts and Plymouth brought authority only to "act about the Indian affairs of the Corporation, and to agitate and treat of any propositions that should be made for the renewing or entering into a new confederation." A letter was produced, which had been addressed by Plymouth to Massachusetts two years before, containing a protest of that Colony against the extinction of New Haven, and a declaration that its "reason" was not "seated in sufficient light to continue confederation with three Colonies." Statements of the "terms of agreement" between Connecticut and New Haven, and of a concurrence of Connecticut, as now constituted, with the plan for a "tripartie" Confederacy, were called for; but "none appeared." The Commissioners from Connecticut made some conciliatory explanations; and the Congress separated, after disposing of a little business relative to the preaching to the Indians, and preparing a proposal to the several Colonies for a new confederation, with some alteration of the articles of the original compact.[2]

[1] Hutch. Coll., 411.

[2] Records, &c., in Hazard, II. 501–511. — The Federal Commissioners expressed disapprobation of some proceedings of Connecticut. (Ibid., 504.)

If the Confederacy was crippled, Massachusetts was neither won to the court, nor overcome, nor disabled, nor intimidated. And now Lord Clarendon had fallen from power, and the ministers, afterwards called the *Cabal*, were at the helm. To Massachusetts, as yet, the name of Clifford was scarcely significant. In a hot contest with Arlington, she had lately come off victorious.[1] In the Duke of Buckingham, if she had read him rightly, there was little to give her cause for alarm. From the versatile Ashley, the friend of Monk and of Southampton, she might even hope for some favor, if any of his professions during the Civil Wars had been sincere. Lauderdale she knew as, of old, a busy Covenanter, who would now have sufficient business on his hands in taking care of Scotland. Now was the time for Massachusetts to re-establish her position, and reclaim what remained withholden of her rights.

Restoration of the authority of Massachusetts in Maine.

The French war had frightened the settlers in Maine, living as they did in scattered families, in the face of Indian tribes, who were under the influence of the missionaries from Quebec. The King of England took no thought for them; Gorges could not defend them; the only power in a posture to afford them protection was Massachusetts; and, when again she turned her attention towards them, it was to find the ancient loyalty to her increased, and little opposition to her claims requiring to be overcome, except what was offered by interested officials.

The General Court took up the case of its county of York, and considered that, "about three years now past, some interruption had been made to the peace of that place and order there established, by the imposition of some who, pretending to serve his Majesty's interest, with unjust aspersions and reflections upon this

1668. May 27.

[1] The Secretary Bennett was created Earl of Arlington, March 14, 1665.

government here established by his royal charter, had unwarrantably drawn the inhabitants of that county to subjection unto officers that had no royal warranty, thereby infringing the liberties of the charter, and depriving the people there settled of their just privileges; the effect whereof now appeared to be not only a disservice to his Majesty, but also the reducing of a people that were found under an orderly establishment to a confused anarchy."[1] They accordingly issued a proclamation requiring the inhabitants of the county "to yield obedience" to the colonial laws and officers, and commissioned the Magistrates Leverett and Tyng, and the Deputies Waldron (of Dover) and Pike (of Salisbury), to repair to York, hold a court, and reconstruct the lawful government.[2]

At York, "Mr. Josselyn and several others, styled justices of the peace," presented themselves to the commissioners, and, pleading their authority from Colonel Nicolls, were told that the General Court had already considered and overruled it.[3] The commissioners "repaired to the meeting-house, and there opened the court by reading their commission publicly, and declaring to the people wherefore they came; whereto there was great silence and attention." The Yorkshire towns had already been directed to choose

July 7.

[1] See above, p. 622.

[2] Mass. Rec., IV. (ii.) 370 – 373. — Nicolls remonstrated against this proceeding in a letter (June 12th) from New York. (Hutch. Coll., 427.)

[3] In the State-Paper Office is Major Nathaniel Phillips's "True Account of the Usurpation of Massachusetts" in Maine. Phillips says: "Major-General Leverett sat in court with his sword by his side, a thing not usual in courts of peace and justice."

The commissioners' Report of their proceedings is in Mass. Rec., IV. (ii.) 400 – 404. — "We told them that, through the good hand of God, and the King's favor, the Massachusetts were an authority to assert their right of government there by virtue of the royal charter; and that we did not doubt but that the Massachusetts Colony's actings for the forwarding his Majesty's service would outspeak others' words." John Josselyn, who was a brother of the would-be magistrate, has given his account of this transaction. (Account of Two Voyages, &c., 198.)

their local officers and jurymen. Their votes were now sent in; and, while the commissioners were counting them, Josselyn and his friends disputed the authority of the court, harangued the people outside, and endeavored to make a disturbance. Partly by committing some of the most forward to the custody of his marshal, and partly by friendly reasoning, Leverett succeeded in restoring order; and the business of the court went on. Constables and jurors were sworn; military officers were put in commission for six companies; and, on the third day of their visit, the commissioners set off for their return to Massachusetts, to report that once more she was mistress of Maine. She might seem to herself to stand erect again; as sovereign as in the time of Cromwell, and with the advantage of more people, more wealth, institutions better knit together, a confirmed public spirit, and a generation of citizens born upon her soil.

July 9.

APPENDIX.

COMMISSIONERS OF THE CONFEDERACY.

[The letter P., after a name, denotes the presiding officer of the body for the year. It was the custom, though not observed without exceptions, to choose for President one of the Commissioners of the Colony in which the meeting was held]

Plymouth.	Massachusetts.	Connecticut.	New Haven.
	1643.		
Edward Winslow.	John Winthrop. P.	George Fenwick.	Theophilus Eaton.
William Collier.	Thomas Dudley.	Edward Hopkins.	Thomas Gregson.
	1644.		
Edward Winslow.	Simon Bradstreet.	Edward Hopkins. P.	Theophilus Eaton.
John Brown.	William Hathorne.	George Fenwick.	Thomas Gregson.
	1645.		
Thomas Prince.	John Winthrop. P.	George Fenwick.	Theophilus Eaton.
John Brown.	Herbert Pelham.	Edward Hopkins.	Stephen Goodyeare.
	1646.		
John Brown.	John Endicott.	Edward Hopkins.	Theophilus Eaton. P.
Timothy Hatherly.	Herbert Pelham.	John Haynes.	Stephen Goodyeare.
	1647.		
William Bradford.	Thomas Dudley. P.	Edward Hopkins.	Theophilus Eaton.
John Brown.	John Endicott.	John Mason.	Stephen Goodyeare.
	1648.		
William Bradford. P.	John Endicott.	Edward Hopkins.	Theophilus Eaton.
John Brown.	Simon Bradstreet.	Roger Ludlow.	John Astwood.
	1649.		
William Bradford.	Thomas Dudley. P.	Edward Hopkins.	Theophilus Eaton.
John Brown.	Simon Bradstreet.	Thomas Wells.	John Astwood.
	1650.		
Thomas Prince.	Simon Bradstreet.	Edward Hopkins. P.	Theophilus Eaton.
John Brown.	William Hathorne.	John Haynes.	Stephen Goodyeare.
	1651.		
John Brown.	Simon Bradstreet.	Edward Hopkins.	Theophilus Eaton. P.
Timothy Hatherly.	William Hathorne.	Roger Ludlow.	Stephen Goodyeare.
	1652.		
William Bradford.	Simon Bradstreet.	Roger Ludlow.	John Astwood.
John Brown.	William Hathorne.	John Cullick.	

Plymouth.	Massachusetts.	Connecticut.	New Haven.
		1653.	
Thomas Prince.	Simon Bradstreet. P.	Roger Ludlow.	Theophilus Eaton.
John Brown.	William Hathorne.	John Cullick.	John Astwood.
		1654	
Thomas Prince.	Simon Bradstreet.	John Mason.	Theophilus Eaton. P.
John Brown.	Daniel Denison.	John Webster.	Francis Newman.
		1655.	
John Brown.	Simon Bradstreet.	John Mason.	Theophilus Eaton. P.
James Cudworth.	Daniel Denison.	John Cullick.	William Leete.
		1656.	
William Bradford. P.	Simon Bradstreet.	John Mason.	Theophilus Eaton.
Thomas Prince.	Daniel Denison.	John Tallcott.	William Leete.
		1657.	
Thomas Prince.	Simon Bradstreet. P.	John Mason.	Theophilus Eaton.
James Cudworth.	Daniel Denison.	John Tallcott.	William Leete.
		1658.	
Thomas Prince.	John Endicott. P.	John Winthrop.	Francis Newman.
Josiah Winslow.	Simon Bradstreet.	John Tallcott.	William Leete.
		1659.	
Josiah Winslow.	Simon Bradstreet.	John Winthrop. P.	Francis Newman.
Thomas Southworth.	Daniel Denison.	Thomas Wells.	William Leete.
		1660.	
Josiah Winslow.	Simon Bradstreet.	John Winthrop.	Francis Newman. P.
Thomas Southworth.	Daniel Denison.	Matthew Allyn.	William Leete.
		1661.	
Thomas Prince. P.	Simon Bradstreet.	John Mason.	William Leete.
Thomas Southworth.	Daniel Denison.	Samuel Willis.	Benjamin Fenn.
		1662.	
Thomas Prince.	Daniel Denison. P.	Samuel Willis.	William Leete.
Josiah Winslow.	Thomas Danforth.	John Tallcott.	Benjamin Fenn.
		1663.	
Thomas Prince.	Simon Bradstreet. P.	John Winthrop.	William Leete.
Josiah Winslow.	Thomas Danforth.	John Tallcott.	Benjamin Fenn.
		1664.	
Josiah Winslow.	Simon Bradstreet. P.	Matthew Allyn.	William Leete.
Thomas Southworth.	Thomas Danforth.	Samuel Willis.	William Jones.
		1665.	
Josiah Winslow.	Simon Bradstreet.	John Winthrop.	
Thomas Southworth.	Thomas Danforth.	William Leete.	
		1666.	
Josiah Winslow.	Simon Bradstreet.	John Winthrop.	
Thomas Southworth.	Thomas Danforth.	Samuel Willis.	
		1667.	
Thomas Southworth.	Thomas Danforth.	William Leete. P.	
Thomas Hinckley.	John Leverett.	Samuel Willis.	

MAGISTRATES OF THE SEVERAL COLONIES.

PLYMOUTH.

Governors.

1644. Edward Winslow.
1645 – 1656. William Bradford.
1657 – 1667. Thomas Prince.

Assistants.

William Bradford, 1644.
Thomas Prince, 1644 – 1656.
William Collier, 1644 – 1651, 1654 – 1665.
Timothy Hatherly, 1644 – 1657.
John Brown, 1644, 1645, 1647 – 1655.
William Thomas, 1644, 1647 – 1650.
Edmund Freeman, 1644 – 1646.
Edward Winslow, 1645 – 1647, 1650.
Miles Standish, 1645 – 1656.
John Alden, 1651 – 1667.
Thomas Willet, 1651 – 1664.
Thomas Southworth, 1652, 1653, 1657 – 1667.
James Cudworth, 1656, 1657.
Josiah Winslow, 1657 – 1667.
Thomas Hinkley, 1658 – 1667.
James Brown, 1665, 1666.
John Freeman, 1666, 1667.
Nathaniel Bacon, 1667.

MASSACHUSETTS.

Governors.

1644. John Endicott.
1645. Thomas Dudley.
1646 – 1648. John Winthrop.
1649. John Endicott.
1650. Thomas Dudley.
1651 – 1653. John Endicott.
1654. Richard Bellingham.
1655 – 1664. John Endicott.
1665 – 1667. Richard Bellingham.

Deputy-Governors.

1644, 1645. John Winthrop.
1646 – 1649. Thomas Dudley.
1650. John Endicott.
1651, 1652. Thomas Dudley.
1653. Richard Bellingham.
1654. John Endicott.
1655 – 1664. Richard Bellingham.
1665 – 1667. Francis Willoughby.

Assistants.

Thomas Dudley, 1644.
Richard Bellingham, 1644 – 1652.
Richard Saltonstall, 1644 – 1649, 1664.
John Winthrop, Jr., 1644 – 1649.
Increase Nowell, 1644 – 1655.
Simon Bradstreet, 1644 – 1667.
William Pynchon, 1644 – 1650.
William Hibbins, 1644 – 1654.
Thomas Flint, 1644 – 1653.
Samuel Symonds, 1644 – 1648, 1650 – 1667.
John Endicott, 1645 – 1648.
Herbert Pelham, 1645 – 1649.
Robert Bridges, 1647 – 1656.
Francis Willoughby, 1650, 1651, 1664.
Thomas Wiggin, 1650 – 1664.
Edward Gibbons, 1650, 1651.
John Glover, 1652, 1653.
Daniel Gookin, 1652 – 1667.
Daniel Denison, 1653 – 1667.
Simon Willard, 1654 – 1667.
Humphrey Atherton, 1654 – 1661.
Richard Russell, 1659 – 1667.
Thomas Danforth, 1659 – 1667.
William Hathorne, 1662 – 1667.
Eliazer Lusher, 1662 – 1667.
John Leverett, 1665 – 1667.
John Pynchon, 1665 – 1667.

CONNECTICUT.

Governors.

1644. Edward Hopkins.
1645. John Haynes.

Deputy-Governors.

1644. John Haynes.
1645. Edward Hopkins.

Governors.	Deputy-Governors.
1646. Edward Hopkins.	1646. John Haynes.
1647. John Haynes.	1647. Edward Hopkins.
1648. Edward Hopkins.	1648. Roger Ludlow.
1649. John Haynes.	1649. Edward Hopkins.
1650. Edward Hopkins.	1650. John Haynes.
1651. John Haynes.	1651. Edward Hopkins.
1652. Edward Hopkins.	1652. John Haynes.
1653. John Haynes.	1653. Edward Hopkins.
1654. Edward Hopkins.	1654. Thomas Wells.
1655. Thomas Wells.	1655. John Webster.
1656. John Webster.	1656, 1657. Thomas Wells.
1657. John Winthrop.	1658. John Winthrop.
1658. Thomas Wells.	1659. Thomas Wells.
1659 – 1667. John Winthrop.	1660 – 1667. John Mason.

Magistrates.

[Called *Assistants* after the Charter.]

George Fenwick, 1644, 1645, 1647, 1648.
George Wyllys, 1644.
Roger Ludlow, 1644 – 1647, 1649 – 1653.
John Webster, 1644 – 1654, 1657 – 1659.
William Whiting, 1644 – 1647.
Thomas Wells, 1644 – 1653.
John Mason, 1644 – 1659.
Henry Wolcott, 1644 – 1655, 1662 – 1667.
William Swayne, 1644.
John Cosmore, 1647 – 1650, 1655, 1657, 1658.
Edward Howell, 1647 – 1653.
John Haynes, 1648.
John Cullick, 1648 – 1657.
Henry Clarke, 1650 – 1661.
John Winthrop, 1651 – 1656.
Thomas Tapping, 1651 – 1656, 1659 – 1661, 1663, 1664.
Edward Hopkins, 1655, 1656.
Samuel Willis, 1654 – 1667.
John Tallcott, 1654 – 1667.
John Ogden, 1656 – 1660.
Nathan Gold, 1657, 1659 – 1667.
Matthew Allyn, 1658 – 1667.
William Phelps, 1658 – 1662.
John Wells, 1658, 1659.
Richard Treat, 1658 – 1664.
Thomas Baker, 1658 – 1663.
John Mulford, 1658.
Alexander Knowles, 1658.
Daniel Clark, 1659, 1660, 1662 – 1667.
Robert Bond, 1659 – 1661.
Thurston Rayner, 1661, 1663.
John Allyn, 1662 – 1667.
Samuel Sherman, 1663 – 1667.
John Howell, 1663, 1664.
John Young, 1664.
James Richards, 1665, 1667.
William Leete, 1665 – 1667.
William Jones, 1665 – 1667.
Benjamin Fenn, 1665, 1666.
Jasper Crane, 1665 – 1667.
Richard Law, 1666, 1667.
Robert Treat, 1666.
Benjamin Newbury, 1666, 1667.
Anthony Howkins, 1666, 1667.
Alexander Bryant, 1667.
James Bishop, 1667.
John Davenport, 1667.
Thomas Fairchild, 1667.
Giles Hamlin, 1667.

NEW HAVEN.

Governors.	Deputy-Governors.
1644 – 1657. Theophilus Eaton.	1644 – 1657. Stephen Goodyeare.
1658 – 1660. Francis Newman.	1658 – 1660. William Leete.
1661 – 1664. William Leete.	1661 – 1663. Matthew Gilbert.
	1664. William Jones.

43795

Magistrates.

[From a deficiency in the records of New Haven, no list of Magistrates for the years 1644–1652 can be made out. In 1646, Thomas Gregson, Richard Malbon, William Fowler, John Astwood, Samuel Desbrough, and Andrew Ward were elected. (N. H. Rec., I. 275.) Thurston Rayner was a Magistrate in 1644 (Ibid., 135); Richard Malbon, in 1645 (Ibid., 257); and John Astwood and Samuel Desbrough, in 1649 (Ibid., 467). Beginning with 1653, the series was as follows: —]

Francis Newman, 1653 – 1658.
William Fowler, 1653, 1654.
John Astwood, 1653 – 1655.
William Leete, 1653 – 1658.
Samuel Eaton, 1654, 1655.
Benjamin Fenn, 1654 – 1659, 1661 – 1664.
Matthew Gilbert, 1658 – 1661, 1664.
Jasper Crane, 1658 – 1665.
Robert Treat, 1659 – 1663.
William Jones, 1662, 1663.
William Gibbard, 1662.

[Robert Treat was re-elected in 1664, but did not take the oath of office; nor did John Wakeman nor John Nash, elected respectively in 1661 and 1664; nor William Gibbard, on his first election, in 1661.]

PROVIDENCE PLANTATIONS.

Presidents.

1647. John Coggeshall.
1648. William Coddington.
1649. John Smith.
1650, 1654. Nicholas Easton.
1653. John Sanford.
1655, 1656. Roger Williams.
1657 – 1659, 1662, 1663. Benedict Arnold.
1660, 1661. William Brenton.

Assistants.

Roger Williams, 1647, 1648.
John Sanford, 1647, 1649.
William Coddington, 1647.
Randall Holden, 1647, 1653 – 1655, 1657, 1659.
Jeremy Clarke, 1648.
William Baulston, 1648, 1656 – 1663.
John Smith, 1648.
Thomas Olney, 1649, 1653 – 1656.
John Clarke, 1649, 1650, 1658.
Samuel Gorton, 1649.
William Field, 1650, 1658 – 1663.
John Porter, 1650.
John Wicks, 1650.
Nicholas Easton, 1653.
Richard Burden, 1653, 1654.
Edward Smith, 1654.
John Roome, 1655.
Benedict Arnold, 1655.
John Coggeshall, 1656.
John Wicks, 1656.
Richard Tew, 1657, 1662, 1663.
Arthur Fenner, 1657.
Joseph Clarke, 1658, 1659.
Benedict Arnold, 1660, 1661.
John Greene, 1660 – 1663.

RHODE ISLAND AND PROVIDENCE PLANTATIONS.

Governors.

1664, 1665. Benedict Arnold.
1666, 1667. William Brenton.

Deputy-Governors.

1664, 1665. William Brenton.
1666, 1667. Nicholas Easton.

Assistants.

John Coggeshall, 1664.
James Barker, 1664, 1665.
Joseph Clarke, 1664.
William Field, 1664.
Thomas Olney, 1664, 1666.
Roger Williams, 1664.

William Baulston, 1664 – 1667.
John Sanford, 1664.
Randall Holden, 1664, 1665.
Walter Todd, 1664.
John Card, 1665.
Edward Smith, 1665.
William Carpenter, 1665 – 1667.
Arthur Fenner, 1665, 1667.
John Brown, 1665.
Samuel Wilbore, 1665 – 1667.
John Greene, 1665, 1667.
William Coddington, 1666.
Richard Tew, 1666.
John Easton, 1666, 1667.
William Harris, 1666, 1667.
Richard Carder, 1666.
Benjamin Smith, 1666, 1667.
Peleg Sanford, 1667.
William Reape, 1667.

END OF THE SECOND VOLUME.

Dan Call

DATE DUE

SEP 26 1967

OCT 8 1968

LIBRARY
SAN RAFAEL

DOMINICAN COLLEGE LIBRARY
F7 .P15 v.2
Palfrey, Joh/History of New England
3 3645 00088034 7

43795
DOMINICAN COLLEGE
LIBRARY
SAN RAFAEL

F7 .P34 1858
vol.2
Palfrey, John Gorham,
1796-1881.
History of New England

Dominican College Library
San Rafael, California